

A REGULAR MEETING OF THE FAUQUIER COUNTY BOARD OF
SUPERVISORS WAS HELD FEBRUARY 4, 1997 AT 9:30 A.M. IN
WARRENTON, VIRGINIA

P R E S E N T Mr. David C. Mangum, Chairman; Mr. James G. Brumfield,
Vice Chairman; Mr. Wilbur W. Burton; Mr. James R. Green,
Jr.; Mr. Larry L. Weeks; Mr. G. Robert Lee, County
Administrator; Mr. Paul S. McCulla, County Attorney

ADOPTION OF THE AGENDA

Mr. Weeks moved that Section 5-1 and 5-2 of the Board of
Supervisors Bylaws and Rules of Procedure be suspended to permit the
amending of the published agenda to include the following resolutions for
discussion and action: (1) A Request for the Department of Environmental
Quality to Hold a Public Hearing on the Permit for Cedar Run Site #6; (2) The
Board of Supervisors endorsement of the Virginia Department of
Transportation's Proposed Corral Farm Entrance and Traffic Lighting; and, (3)
A Proposal to Ask the Virginia Association of Counties to Oppose Senate Bill
#1042 Concerning the Interbasin Transfer of Waste Water. Mr. Brumfield
seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield;
Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks
Nays: None
Absent During Vote: None
Abstention: None

Mr. Weeks moved to adopt the Agenda as amended. Mr. Brumfield
seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton;
Mr. James R. Green, Jr.; Mr. Larry
L. Weeks
Nays: None
Absent During Vote: None
Abstention: None

EMPLOYEE OF THE MONTH -- BETTY L. BROOKS

Mr. Burton moved to adopt the following resolution. Mr. Brumfield
seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield;
Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks
Nays: None
Absent During Vote: None
Abstention: None

RESOLUTION

A RESOLUTION TO RECOGNIZE BETTY L. BROOKS AS THE FAUQUIER
COUNTY EMPLOYEE OF THE MONTH FOR FEBRUARY 1997

WHEREAS, the Fauquier County Board of Supervisors recognizes that the County's employees are its most valuable resource; and

WHEREAS, effective July 16, 1991, the Board of Supervisors approved the resolution to establish the Employee Awards Program; and

WHEREAS, the Board of Supervisors selects one employee from those nominated, based upon the merits of outstanding performance and productivity, positive job attitude and other noteworthy contributions to the County; and

WHEREAS, Betty L. Brooks, Executive Assistant I in the consolidated budget office, was nominated for the Employee of the Month Award; and

WHEREAS, Betty L. Brooks has played a major supportive role maintaining the Budget Officers' schedules, deadlines and projects; and

WHEREAS, with the additional workload of the consolidated budget office, Betty L. Brooks has continuously demonstrated her strong work ethic especially during the Fiscal Year 1998 budget process; and

WHEREAS, Betty L. Brooks' sense of commitment and dedication to projects at hand sets high standards for others to follow; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 4th day of February 1997, That Betty L. Brooks be, and is hereby, recognized as the Fauquier County Employee of the Month for February 1997; and, be it

RESOLVED FURTHER, That the Fauquier County Board of Supervisors extends gratitude to Betty L. Brooks for her outstanding performance and dedicated service; and be it

RESOLVED FINALLY, That Betty L. Brooks is hereby entitled to all of the rights and privileges associated with this award.

Mr. Burton presented Ms. Brooks with a copy of the resolution, a certificate, a paperweight, and \$100.00.

CITIZENS TIME

Sally Murray, Tourism Coordinator, presented the Board members with a copy of the Business Guide.

Bob Sowder asked for assistance in getting roads in the state system and in getting sewer to New Baltimore, Catlett, Calverton and Midland.

Debbie Reedy requested the construction of Route 676 be moved in VDOT's Six Year Plan to begin and end in 1998.

CONSENT AGENDA

Mr. Weeks moved to adopt the following Consent Agenda items. Mr. Green seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton;
Mr. James R. Green, Jr.; Mr. Larry
L. Weeks
Nays: None
Absent During Vote: None
Abstention: None

Approval of the Minutes of the January 7, 1997 and January 21, 1997
Regular Meetings

A Resolution Authorizing a Public Hearing on the Proposed deeding of Land
Owned by Fauquier County and Four Other Localities to the Commonwealth
Transportation Board and the Granting of Easements to NOVEC and GTE --
District Home

RESOLUTION

A RESOLUTION AUTHORIZING A PUBLIC HEARING ON THE
PROPOSED DEEDING OF LAND OWNED BY FAUQUIER COUNTY
AND FOUR OTHER LOCALITIES TO THE COMMONWEALTH
TRANSPORTATION BOARD AND THE GRANT OF EASEMENTS
TO NOVEC AND GTE

WHEREAS, the Virginia Department of Transportation wishes to widen
Route 28 including that area adjacent to the District Home/Birmingham Green
site located in Manassas; and

WHEREAS, the Virginia Department of Transportation has offered
\$30,805 as compensation for the land necessary to widen Route 28; and

WHEREAS, the District Home has recommended acceptance of the
amount; and

WHEREAS, as a result of the widening of Route 28, NOVEC and GTE
easements must be modified; now, therefore, be it

RESOLVED, this 4th day of February, 1997, by the Board of
Supervisors of Fauquier County, That the County Administrator be and is
hereby directed to schedule a public hearing on the proposed transference of
land and easements as set forth above.

A Resolution Authorizing a Public Hearing to Consider Granting an Easement
Across the Landfill Property to Virginia Power for Underground Cable to
Transmit Electric Power

RESOLUTION

Be It Resolved by the Fauquier County Board of Supervisors this 4th
day of February 1997, That a public hearing be scheduled to consider
granting an easement on the Landfill Property to Virginia Power for
underground cable to transmit electric power.

FY 1997 Supplemental Appropriations

RESOLUTION (FY97)

A RESOLUTION TO APPROPRIATE FUNDS

WHEREAS, the Board of Supervisors is charged by the Code of Virginia with the preparation of an annual budget for Fauquier County; and

WHEREAS, this annual budget is a plan of how funds received by the County will be used to meet the needs of the citizens of the County; and

WHEREAS, during the course of the fiscal year, certain events occur which necessitate changing the budget plan by increasing a department's total budget; and

WHEREAS, funds needed to increase a department's budget must come from an outside source such as State, Federal, grant or other local sources such as the County's Reserve for Contingency; and

WHEREAS, proper justification for funding adjustments has been presented as outlined below:

To School Division
\$72,343

To School Division
\$15,469

To School Division
\$20,000

To School Division
\$14,414

To School Division
\$18,229

To School Division
\$4,532

To School CIP projects
\$300,000

To School CIP projects
\$500,100

To Undedicated Reserve
\$85,000

Total
\$1,029,987

to the Board of Supervisors; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 4th day of

February 1997, That the sum of \$1,029,987 be appropriated and is hereby approved.

A Resolution to Increase Sign-Off Authority for the Finance Director and the Budget Director for Budget Items

RESOLUTION (FY97)

A RESOLUTION TO INCREASE SIGN-OFF AUTHORITY FOR FINANCE
DIRECTOR AND BUDGET DIRECTOR FOR BUDGET ITEMS

WHEREAS, the Board of Supervisors is charged by the Code of Virginia with the preparation of an annual budget for Fauquier County; and

WHEREAS, this annual budget is a plan of how funds received by the County will be used to meet the needs of the citizens of the County; and

WHEREAS, during the course of the fiscal year, certain events occur which necessitate changing the budget plan by increasing a department's total budget; and

WHEREAS, internal reallocations made in a departmental budget are movements from one budgeted line item to another within the same department and do not increase or decrease the overall budget of the department that has been appropriated by the Board of Supervisors; and

WHEREAS, the Board of Supervisors recognizes that delegation of a reasonable level of sign-off authority for internal budget reallocations is a necessary step towards improving the effectiveness and efficiency of financial management in Fauquier County government operations; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 4th day of February 1997, That the Finance Director and Budget Director are approved to sign off internal budget reallocations not to exceed \$6,000 for any one departmental request.

A Resolution to Schedule an Adjourned Meeting with the Fauquier County School Board for Thursday, February 20, 1997 at 6:00 p.m. at Fauquier High School

RESOLUTION

Be It Resolved by the Fauquier County Board of Supervisors this 4th day of February 1997, That an adjourned meeting be scheduled with the Fauquier County School Board on Thursday, February 20, 1997 at 6:00 p.m. at Fauquier High School.

Authorization to Adopt a Joint Resolution for Personnel Policy Section #48, Bloodborne Pathogens

RESOLUTION

A JOINT RESOLUTION TO ADOPT THE PERSONNEL POLICY
SECTION #48, BLOODBORNE PATHOGENS

WHEREAS, the Bloodborne Pathogens Policy is a means of complying with the OSHA/VOSH Bloodborne Pathogens Standards; and

WHEREAS, the Bloodborne Pathogens Policy is established to minimize and prevent, when possible, the exposure of employees to disease-causing microorganisms transmitted through human blood; and

WHEREAS, the Personnel Department will assure development of and compliance with the specific plans consistent with elements of OSHA/VOSH standards; and

WHEREAS, all Fauquier County General Government and school employees whose jobs may cause them to come in contact with potentially infectious materials shall be protected by the Bloodborne Pathogens Policy; and

WHEREAS, exposure determination shall be made without regard to the use of personal protective equipment; and

WHEREAS, it is the shared intent of the Fauquier County Board of Supervisors and School Board to provide it's employees with a safe, healthful and productive work environment; now, therefore, be it,

RESOLVED, by the Fauquier County School Board this 13th day of February and the Board of Supervisors this 4th day of February 1997, That the Bloodborne Pathogens Policy be incorporated into the policy manuals; and be it

RESOLVED FURTHER, That the effective date of the Bloodborne Pathogens Policy be January 1, 1997; and, be it

RESOLVED FINALLY, That the County Administrator/Superintendent of Schools, or designees, be, and are hereby, authorized to monitor agency compliance with the provisions of the Bloodborne Pathogens Policy.

PERSONNEL POLICY
Fauquier County Government/Public Schools
Fauquier County, VA

Section 48

Purpose

This policy has been established in order to minimize and to prevent, when possible, the exposure of employees to disease-causing microorganisms transmitted through human blood, and as a means of complying with the OSHA/VOSH Bloodborne Pathogens Standard.

Scope

All Fauquier County/School departments, schools or agencies who have employees in job categories where it is reasonably anticipated that they will have skin, eye, mucous membrane or parenteral contact with blood or other potentially infectious materials are covered under this policy. Exposure determination shall be made without regard to the use of personal protective equipment.

Definitions

Blood - Human blood, human blood components and products made from human blood.

Bloodborne Pathogens - Pathogenic microorganisms that are present in human blood and can cause disease in humans. These pathogens include, but are not limited to, hepatitis B virus (HBV) and human immunodeficiency virus (HIV).

Contaminated - The presence or the reasonably anticipated presence of blood or other potentially infectious materials on an item or surface.

Contaminated Sharps - Any contaminated object that can penetrate the skin including, but not limited to, needles, scalpels, broken glass, broken capillary tubes, and exposed ends of dental wires.

Decontamination - The use of physical or chemical means to remove, inactivate, or destroy bloodborne pathogens on a surface or item to the point where they are no longer capable of transmitting infectious particles and the surface or item is rendered safe for handling, use or disposal.

Engineering Controls - Controls (e.g., sharps disposal containers, self-sheathing needles) that isolate or remove the bloodborne pathogens hazard from the workplace.

Exposure Incident - A specific eye, mouth, other mucous membrane, non-intact skin, or parenteral contact with blood or other potentially infectious materials that results from the performance of an employee's duties.

Handwashing Facilities - A facility providing an adequate supply of running potable water, soap and single use towels or hot air drying machines.

HBV - Hepatitis B virus.

HIV - Human immunodeficiency virus.

Occupational Exposure - Reasonably anticipated skin, eye mucous membrane or parenteral contact with blood or other potentially infectious materials that may result from the performance of an employee's duties.

Parenteral - Piercing mucous membranes of the skin barrier through such events as needlesticks, human bites, cuts, and abrasions.

Personal Protective Equipment - Specialized clothing or equipment worn by an employee for protection against a hazard. General work clothes (e.g., uniforms, pants, shirts or blouses) not intended to function as protection against a hazard are not considered to be personal protective equipment.

Other Potentially Infectious Materials

1. The following human body fluids: semen, vaginal secretions, cerebrospinal fluid, synovial fluid, pleural fluid, pericardial fluid, peritoneal fluid, amniotic fluid, saliva in dental procedures, any body fluid that is visibly contaminated with fluid that is visibly contaminated with blood, and all body fluids in situations where it is difficult or impossible to differentiate between body fluids.

2. Any unfixed tissue or organ (other than intact skin) from a human (living or dead).

3. HIV - containing cell or tissue cultures, organ cultures, and HIV or HBV containing culture medium or other solutions; and blood, organs or other tissues from experimental animals infected with HIV or HBV.

Responsibility and Authority

The County Administrator/Superintendent of Schools or designee has oversight responsibility for monitoring agency compliance with the provisions of the Bloodborne Pathogen Policy.

This policy shall be reviewed at least annually and updated as necessary by the Department of Personnel.

The Department Head/Constitutional Officer, School Principal or designee has the responsibility to determine if employees in his/her department, school or agency have exposure to bloodborne pathogens and assure development of and compliance with a specific plan consistent with elements of the OSHA/VOSH standard outlined in this policy. It is the responsibility of each Department Head/Constitutional Officer, School Principal or designee covered under this policy to implement all aspects of this plan (i.e., written exposure control plan, employee training, vaccination, etc.).

List of Departments with Exposure

The following departments to date have been identified as having job categories with potential exposure:

- Sheriff's Office
- Parks and Recreation
- Office of Emergency Services
- Department of Social Services
- Fauquier County Public Schools

Maintenance of Records

The Department of Personnel shall maintain all employee medical records pertaining to this policy. Affected departments, schools or agencies shall be responsible for forwarding employee medical records to the Department of Personnel, and may retain a copy for internal records.

Confidentiality of these records shall be assured consistent with recordkeeping procedures of the OSHA/VOSH Standard as outlined in this policy.

Declination Statement

Any exposed employee who declines medical diagnostic testing or medical treatment offered by the County/School related to exposures governed by this standard, including the hepatitis B vaccination, shall be required to sign a declination statement.

Elements of the OSHA/VOSH Standard and Policy Guidelines

Outlined below is a summary of the Bloodborne Pathogens standard and guidelines to be used as a minimum by departments, schools or agencies when developing a more specific exposure control plan.

The basic components of the Bloodborne Pathogens Policy include:

1. Exposure Determination
2. Methods of Compliance
3. Hepatitis B Vaccination Policy
4. Procedures for Evaluation and Follow-up of Exposure Incidents
5. Employee Training
6. Record Keeping Procedures

1. Exposure Determination

All job categories in which it is reasonable to anticipate that an employee will have skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials will be included in this exposure control plan. Specific positions must be identified in the plan. In addition, job classifications in which some employees may have occupational exposure are also to be identified. Since not all the employees in these categories are expected to incur exposure to blood or other potentially infectious materials, the tasks or procedures that would cause these employees to have occupational exposure must also be listed.

2. Methods of Compliance

A. Universal Precautions - All blood and other potentially infectious materials shall be handled as if contaminated by a bloodborne pathogen. Under circumstances in which differentiation between body fluid types is difficult or impossible, all body fluids shall be considered potentially infectious materials.

B. Engineering and work practice controls - Shall be used and specifically identified to eliminate or minimize employee exposure. Where occupational exposure remains after institution of these controls, personal protective equipment shall also be used.

The above controls shall be maintained and reviewed annually.

C. Handwashing and Other General Hygiene Measures - Handwashing is a primary infection control measure. Appropriate handwashing must be diligently practiced. Employees shall wash hands thoroughly using soap and water whenever hands become contaminated and as soon as possible after removing gloves or other personal protective equipment. Whenever other skin or mucous membranes come in contact with blood or other potentially infectious materials, the skin shall be washed with soap and water, and mucous membranes shall be flushed with water, as soon as possible. If soap and water are not readily available, antiseptic hand cleanser used in conjunction with clean cloth/paper towels or antiseptic towelettes shall be used. When these alternatives are used, hands shall be washed with soap and water as soon as feasible. Disposal of paper towels and towelettes will be incorporated into each agency plan.

Eating, drinking, smoking, applying cosmetics or lip balm and handling contact lenses are prohibited in work areas where there is a reasonable likelihood of exposure to blood or other potentially infectious materials.

Food and drink shall not be kept in refrigerators, freezers, shelves, cabinets or on countertops or bench tops where blood or other potentially infectious materials are present.

Use of the mouth for pipetting or suctioning of blood or other potentially infectious materials is prohibited.

Employees shall use practices to minimize splashing, spraying, spattering, and generation of droplets during procedures involving blood or other potentially infectious materials. The prescribed practices must be listed and discussed in the plan.

D. Sharps Management - Contaminated needles and other contaminated sharps shall not be bent, recapped, or removed. Shearing or breaking of contaminated needles is prohibited.

Sharps containers must be closeable, puncture resistant, labeled or color-coded, and leakproof on sides and bottom, and maintained upright throughout use. Containers are to be easily accessible to personnel and located as close as is feasible to the immediate area where sharps are used or found. Contaminated disposable sharps shall be discarded, as soon as possible after use, in the disposable sharps container. Contaminated broken glass is also to be placed in disposable sharps containers.

Overfilling of sharps containers creates a hazard when needles protrude from openings. Nearly full containers must be promptly disposed of and replaced. The individual or position responsible for maintaining sharps containers must be identified.

E. Precautions in Handling Specimens - Specimens of blood or other potentially infectious materials shall be placed in a container which prevents leakage during collection, handling, processing, storage, transport, or shipping. The container must be closed before being stored, transported, or shipped. A description of the containers and their locations must be included in the plan.

Containers must be labeled/color-coded if they go out of the facility (labeling must also be used in-house) if all specimens are not handled using universal precautions. An explanation must be provided describing the labeling/color-coded procedures in use or alternatively that the labeling exemption is in effect.

If outside contamination of the primary container occurs, or if the specimen could puncture the primary container, the primary container shall be placed within a secondary container which prevents leakage, and/or resists puncture during handling, storage, transport, or shipping. A description of the containers used for this purpose and an explanation of where they are located and accessed must be included in the plan.

F. Management of Contaminated Equipment - Assess equipment for contamination, and decontaminate if possible, before servicing or shipping. Equipment which has not been fully decontaminated must have a label attached with information about which parts remain contaminated. The individual or position responsible for assessing and decontaminating equipment must be identified, as well as the decontaminating procedure to be followed.

G. Personal Protective Equipment - All personal protective equipment will be provided, repaired, cleaned, and disposed of by the County/School at no cost to employees. Employees shall wear personal protective equipment when doing procedures in which exposure to the skin, eyes, mouth, or other mucous membranes is anticipated. The articles to be worn will depend on the expected exposure. Gloves, gowns, laboratory coats, face shields, masks, eye protection, mouthpieces, resuscitation bags, pocket masks shall be made available. A variety of sizes must also be kept in stock. Employees who have allergies to regular gloves may obtain hypoallergenic gloves.

Procedures requiring personal protective equipment and the type of protection to be used must be identified. In addition, procedures explaining how clothing will be provided, where it can be obtained, and who is responsible for distribution must be included in the plan.

If a garment is penetrated by blood or other potentially infectious material, the garment shall be removed as soon as possible and placed in a designated container for laundering or disposal. All personal protective equipment shall be removed before leaving the work area; it shall be placed in assigned containers for storage, washing, decontamination or disposal. Employees must be informed where to put contaminated garments and other personal protective equipment upon leaving the work area.

H. Protection for Hands - Gloves shall be worn at all times in the following situations:

When it can be reasonably anticipated that hands will contact blood or other potentially infectious materials, mucous membranes, and non-intact skin.

When performing vascular access procedures.

When handling or touching contaminated items or surfaces.

Disposable Gloves:

Replace as soon as feasible when gloves are contaminated, torn, punctured, or when their ability to function as a barrier is compromised.

Do not wash or decontaminate single use gloves for re-use.

Utility Gloves:

Decontaminate for re-use if the gloves are in good condition. Discard when gloves are cracked, peeling, torn, punctured or show signs of deterioration (whenever their ability to act as a barrier is compromised).

I. Protection for Eyes, Nose and Mouth

Employees shall wear masks in combination with eye protection devices (goggles or glasses with solid side shields) or chin length face shields whenever splashes, spray, spatter, or droplets of blood or other potentially infectious materials may be generated and eye, nose, or mouth contamination can be reasonably anticipated.

J. Housekeeping - The workplace will be maintained in a clean and sanitary condition. A written housekeeping procedure guide, which gives the appropriate methods and frequency of decontamination based upon the location within the facility, type or surface to be cleaned, type of soil present, and tasks or procedures being performed, must be followed, the location of the guide must be included in the plan, as well as a list of the germicides which will be used, such as bleach solution or EPA registered germicides.

K. Equipment and Environmental Working Surfaces - Clean contaminated work surfaces with appropriate disinfectant after completing the procedure, immediately or as soon as feasible when contaminated or after any spill of blood or other potentially infectious materials (OPIM), and at

the end of the work shift if the surface may have become contaminated since the last cleaning.

Remove and replace protective coverings (e.g., plastic wrap, aluminum foil, etc.) over equipment and environmental surfaces as soon as feasible when contaminated or at the end of the work shift if they may have been contaminated.

Regularly inspect/decontaminate all reusable bins, pails, cans, and similar receptacles which may become contaminated with blood or OPIM. If these articles become visibly contaminated, they should be decontaminated immediately or as soon as feasible. The frequency of the inspection/decontamination and the position or person responsible must be identified.

L. Special Sharps Precautions - Clean up broken glass which may be contaminated using mechanical means such as a brush and dust pan, tongs, or forceps. The employee is not to pick up directly with his/her hands.

Reusable containers are not to be opened, emptied, or cleaned manually or in any other manner which will expose employees to the risk of percutaneous injury. The employee is not to reach by hand into a container which stores reusable contaminated sharps.

M. Regulated Waste - Includes:

Liquid or semi-liquid blood or other potentially infectious materials.

Contaminated items that would release blood or other potentially infectious materials in a liquid or semi-liquid state if compressed.

Items that are caked with dried blood or other potentially infectious materials and are capable of releasing these materials during handling.

Contaminated sharps.

Pathological and microbiological wastes containing blood or other potentially infectious materials.

N. Waste Containers - Any of the substances above must be placed in containers which are closeable, constructed to contain all contents and prevent leakage of fluids during handling, storage, transport or shipping.

Containers will be red in color or designated by a biohazard label. Regulated waste that has been decontaminated need not be labeled or color-coded.

Containers must be closed prior to moving or removal to prevent spillage or protrusion of contents during handling, storage, transport, or shipping. If the outside of the container becomes contaminated, it is to be placed in a second container which must have the same characteristics as the initial container as discussed above. The disposal method of the waste containers must be described in detail.

O. Laundry - Employees who handle contaminated laundry are to wear protective gloves and other appropriate personal protective equipment.

Contaminated laundry shall be handled as little as possible with a minimum

of agitation. The employee is not to rinse/sort laundry in location of use. The employee is to place contaminated laundry in a container/bag where it was used. Wet contaminated laundry which may soak through or cause leakage from bag or container shall be placed and transported in bags or containers which prevent soak-through and/or leakage of fluids to the exterior.

Bags/containers must be identified by the color red or by biohazard label.

P. Communication of Hazards to Employees - Employees will be informed of hazards through a system of labeling or color-coding, as well as an annual training program.

Warning labels will be affixed to containers of regulated waste, refrigerators and freezers containing blood or other potentially infectious material; and other containers used to store, transport, or ship blood or other potentially infectious materials. Contaminated equipment shall also be labeled in this manner. Information about the portions of the equipment that remain contaminated shall be added to the label.

Labels shall be fluorescent orange or orange-red with lettering or symbols in a contrasting color. The label is either to be an integral part of the container or affixed as close as feasible to the container by a method which prevents loss or unintentional removal of the label. The label shall have the biohazard symbol.

Red bags or red containers may be substituted for the warning label.

The labels/color-coding described here is not required in the following instances:

When containers of blood, blood components, or blood products are labeled as to their contents and have been released for transfusion or other clinical use.

When individual containers of blood or other potentially infectious materials are placed in labeled containers during storage, transport, shipment or disposal.

When regulated waste has been decontaminated.

3. Hepatitis B Vaccination Policy

All employees who have been identified as having occupational exposure to bloodborne pathogens will be offered the Hepatitis B vaccination series at no cost to them. In addition, these employees will be offered post-exposure evaluation and follow-up at no cost should they experience an exposure incident on the job.

All medical evaluations and procedures including the Hepatitis B vaccination series, whether prophylactic or post-exposure, will be made available to the employee at a reasonable time and place. This medical care will be performed by or under the supervision of a licensed physician, physician's assistant, or nurse practitioner. Medical care and vaccination series will be according to the most current recommendations of the U.S. Public Health Service. A copy of the bloodborne pathogens standard will be provided to the healthcare professional responsible for the employee's Hepatitis B vaccination.

All laboratory tests will be conducted by an accredited laboratory at no cost to the employee.

Hepatitis B Vaccination

The vaccination is a series of three injections. The second injection is given one month from the initial injection. The final dose is given six months from the initial dose. At this time a routine booster is not recommended, but if the U. S. Public Health Service, at some future date recommends a booster, it will also be made available to exposed employees at no cost.

The vaccination will be made available to the employees after they have attended training on bloodborne pathogens and within ten (10) working days of initial assignment to a job category with exposure. The vaccination series will not be made available to employees who have previously received the complete hepatitis B vaccination series; to any who have immunity as demonstrated through antibody testing; or to any employee for whom the vaccine is medically contraindicated.

Any exposed employee who chooses not to take the Hepatitis B vaccination will be required to sign a declination statement.

4. Procedures for Evaluation and Follow-Up of Exposure Incident

An exposure incident is a specific eye, mouth, other mucous membrane, non-intact skin, or parenteral contact with blood or other potentially infectious materials that results from the performance of an employee's duties.

Employees who experience an exposure incident must immediately report their exposure to their supervisor. When an employee reports an exposure incident, he/she will be asked to complete a Fauquier County post exposure report form and immediately be offered a confidential medical evaluation and follow-up including the following elements:

Documentation of the route(s) of exposure, and the circumstances under which the exposure incident occurred.

Identification and documentation of the source individual unless identification is not feasible.

If the infectivity status of the source individual is unknown, the individual's blood will be tested as soon as feasible after consent is obtained. The County's health care provider will contact the source individual and after a thorough discussion, request their cooperation in submitting to a blood test by asking them to complete the Fauquier County "Consent/Non-Consent to Collect and Test Blood Form. If the source individual's blood is available, and the individual's consent is not required by law, the blood shall be tested and the results documented. The exposed employee will be informed of the results of the source individual's testing.

The exposed employee's blood shall be collected as soon as feasible after consent is obtained, and tested for HBV, HCV and HIV serological status. If the employee consents to baseline blood collection, but does not give consent at that time for HIV serologic testing, the sample shall be preserved for at least ninety (90) days. If, within ninety (90) days of the exposure incident, the employee elects to have the baseline sample tested, such testing shall be done as soon as feasible. The exposed employee will be offered post-exposure prophylaxis, when medically indicated, as recommended by the U. S. Public Health Service. The exposed employee

will be offered counseling and medical evaluation of any reported illness.

The following information will be provided to the healthcare professional evaluating an employee after an exposure:

A copy of 1910.1030 bloodborne pathogens standard.

A description of the exposed employee's duties as they relate to the exposure incident.

The documentation of the route(s) of exposure and the circumstances under which the exposure occurs.

Results of the source individual's blood testing, if available.

All medical records relevant to the appropriate treatment of the employee including vaccination status.

A copy of the evaluating healthcare professional's written opinion shall be provided to the employee within fifteen (15) days of the completion of the evaluation. The written opinion will be limited to the following information:

The employee has been informed of the results of the evaluation.

The employee has been told about any medical conditions resulting from exposure to blood or other potentially infectious materials which require further evaluation or treatment.

The employee has been advised to receive a Hepatitis B vaccination and whether this recommendation has been accepted or refused.

Note: All other findings shall remain confidential and shall not be included in the written report.

5. Employee Training

Employees will be trained regarding bloodborne pathogens at the time of initial assignment to tasks where exposure may occur and annually, during work hours. Additional changes will be provided whenever there are changes in tasks or procedures which affect employee occupational exposure. This training will be limited to the new exposure situation.

The training approach will be tailored to the educational level, literacy and language of the employees. The training plan will include an opportunity for employees to have their questions answered by the trainer. The name of the person or position responsible for arranging and/or conducting training must be listed in the plan.

The following content will be included:

Explanation of the bloodborne pathogens standard.

General explanation of the epidemiology, modes of transmission and symptoms of bloodborne diseases.

Explanation of exposure control plan and how it will be implemented.

Procedures which may expose employees to blood or other potentially infectious materials.

Control methods that will be used at this facility to prevent or reduce the risk of exposure to blood or other potentially infectious materials.

Types of personal protective equipment to be made available to employees and its location.

Explanation for the basis for selection of personal protective equipment.

Proper use and disposal of personal protective equipment.

Information on the Hepatitis B vaccination program including the benefits and safety of vaccination.

Information on procedures to use in an emergency involving blood or other potentially infectious materials.

What procedures to follow if an exposure incident occurs.

Explanation of post-exposure evaluation and follow-up procedures.

An explanation of warning labels and/or color coding.

An explanation of recordkeeping procedures and associated confidentiality requirement.

6. Recordkeeping Procedures

The following procedures should be in place for maintaining both medical and training records.

Medical Records

A medical record will be established and maintained for each employee with exposure. The record shall be maintained for the duration of employment plus thirty (30) years in accordance with 29 CFR 1910.20. The name or position responsible for maintaining medical records must be identified.

The record shall include the following:

Name and social security number of the employee.

A copy of the employee's Hepatitis B vaccination status with dates of Hepatitis B vaccinations and any medical records relative to the employee's ability to receive vaccinations.

A copy of examination results, medical testing, and any follow-up procedures.

A copy of the healthcare professional's written opinion.

A copy of the information provided to the healthcare professional who evaluates the employee for suitability to receive Hepatitis B vaccination prophylactically and/or after an exposure incident.

Confidentiality of Medical Records

The record shall be kept confidential. The contents will not be disclosed or

reported to any person within or outside the workplace without the employee's express written consent, except as required by law or regulation. Employee medical records required under 1910.1030 shall be provided upon request for examination and copying to the subject employee and to the Commissioner of the Virginia Department of Labor and Industry in accordance with CFR 1910.20.

Training Records

Training records shall be maintained for three (3) years from the date on which the training occurred.

The following information shall be included:

Dates of training sessions.

Contents or a summary of the training sessions.

Name and qualifications of the trainer(s).

Name and job title of all persons attending.

Training records shall be provided upon request for examination and copying to employees, employee representatives, and to the Commissioner of the Virginia Department of Labor and Industry in accordance with 29 CFR 1910.20.

An employee may obtain a copy of this policy within fifteen (15) days of his/her request by contacting the Department of Personnel or in the event of an immediate need where the employee's department is required to follow the guidelines of this policy, by contacting his/her immediate supervisor.

FAUQUIER COUNTY GOVERNMENT AND PUBLIC SCHOOLS

POST EXPOSURE EVALUATION AND FOLLOW-UP HEPATITIS B VACCINE

DECLINATION

I understand that I may be at risk for acquiring serious disease(s) due to my occupational exposure to blood or other potentially infectious materials. I have been given the opportunity for post exposure evaluation and follow-up, at no charge to myself. I decline these services at this time. I understand that by declining these services, I continue to be at risk of acquiring a serious disease(s). If in the future I have an occupational exposure to blood or other potentially infectious materials and I want to receive post exposure evaluation and follow-up, I can receive these services at no charge to me.

I understand that due to my occupational exposure to blood or other potentially infectious materials I may be at risk of acquiring Hepatitis B virus (HBV) infection. I have been given the opportunity to be vaccinated with Hepatitis B vaccine at no charge. I decline Hepatitis B vaccination at this time. I understand that by declining the vaccine, I continue to be at risk of acquiring Hepatitis B, a serious disease. If in the future, I continue to have occupational exposure to blood or other potentially infectious materials and I want to be vaccinated with Hepatitis B vaccine, I can receive the vaccine series at no charge.

Employee's Signature

Date

FAUQUIER COUNTY GOVERNMENT AND PUBLIC SCHOOLS
POST EXPOSURE REPORT FORM

(To Be Completed by Employee at the Time of Incident)

Exposed Employee Information:

Name: _____ Position: _____

SSN: _____ Phone (H): _____

Address: _____

City: _____ State _____ Zip _____

Incident Information:

Case No.: _____ Work Week (hrs.) _____

Location: _____

Type of Incident: _____

Exposure Description:

Date of Exposure: _____ Time of Exposure: _____

1. What Body Fluid(s) Were You In Contact With?

Blood: _____

Feces: _____

Saliva: _____

Spit: _____

Sweat: _____

Tears: _____

Urine: _____

Vomit: _____

Other (Describe): _____

2. What was the Method of Contact?

_____ Needlestick with contaminated needle

_____ Blood or Body Fluids Into Natural Body Openings (Nose, Mouth,
Eyes_____ Blood or Body Fluids Into Cut, Wound, Sores, or Rashes Less Than
24 hrs. old

Please Specify: _____

_____ Other (Describe
Specifically): _____

3. How Did The Exposure Occur (Please Be Specific)?

4. What Action Was Taken In Response To The Contamination?

5. What Personal Protective Equipment Was Being Used At The Time of Exposure?

6. Please Describe Any Other Information Related To The Incident:

Medical Information:

1. Did You Seek Medical Attention? _____ Date:
Where? _____

2. Did You Contact Your Supervisor? _____ Date/Time:

Name of Supervisor:

Source of Exposure:

Name of Source Individual: _____ Sex:

Source Individual's Phone No. (H): _____ (W)

Source Individual's Address:

Receiving Health Care Facility:

Transported By:

Source Individual's Physician:

Employee's Signature

Date

Supervisor's Signature

Date

FAUQUIER COUNTY GOVERNMENT/PUBLIC SCHOOLS

CONSENT/NON-CONSENT TO COLLECT AND TEST BLOOD

I, _____, have been advised by
_____, a Health Care Provider who has been designated by
the Fauquier County government/Public Schools to have a blood test to
detect the presence of antibodies to the Human Immunodeficiency Virus
(HIV), the virus that causes Acquired Immunodeficiency Syndrome (AIDS). I
understand that the blood tests for the virus which is the probable cause of
AIDS are not 100% accurate and that these blood tests sometimes produce
false positive or false negative tests. I have been informed that a positive
test will necessitate further testing to confirm the results. I further
understand that the presence of antibodies means that a person probably has
been exposed to and infected with the AIDS virus, but does not necessarily
mean that a person will develop AIDS.

Check appropriate space(s) below:

_____ A. I hereby authorize a licensed health care provider designated by
Fauquier County Government/Public Schools to take a blood sample and
perform all necessary medical tests on that sample to determine the
presence, if any, of:

_____ hepatitis B, virus (HBV)
_____ hepatitis C virus (HCV)
_____ human Immunodeficiency virus (HIV)

_____ B. I do not consent to the collection or testing of blood for
purposes of determining the presence, if any, of the hepatitis B virus (HBV),
hepatitis C virus (HCV) and/or human Immunodeficiency virus (HIV).

I further acknowledge that, before making this election, I received, and had

an opportunity to review information explaining the basic nature of the test(s) to be performed, the benefits and risks of testing, and confidentiality issues.

I understand that the results of any testing will be made available to the exposed employee as required by Federal and State laws and that these documents are considered confidential by the Fauquier County Government/Public Schools. I have been further advised that all costs associated with this testing will be borne by the Fauquier County Government/Public Schools.

Date

Signature

Authorization to Adopt a Joint Resolution for the Revision of Personnel Policy Section #22, Pay Plan and Employee Compensation; and Section #23, Position Classification Plan

RESOLUTION

A JOINT RESOLUTION TO ADOPT THE REVISIONS TO PERSONNEL POLICY SECTIONS #22, PAY PLAN AND EMPLOYEE COMPENSATION, AND SECTION #23, POSITION CLASSIFICATION PLAN

WHEREAS, effective July 1, 1995, the Fauquier County General Government and the Fauquier County Public School System consolidated certain services; and

WHEREAS, it is the shared intent of the School Board and the Board of Supervisors to create an equitable working environment between the County Government and the School Division; and

WHEREAS, Personnel Policy's Section #22 Pay Plan and Employee Compensation, and Section #23, Position Compensation Plan are revised to reflect procedural and administrative changes; and

WHEREAS, these revisions incorporated unified procedures for General County Government and School Classified employees; now, therefore, be it

RESOLVED, by the Fauquier County School Board this 13th day of February and the Board of Supervisors this 4th day of February 1997, That the revisions made in Personnel Policy's, Section #22, Pay Plan and Employee Compensation and Section #23, Position Compensation Plan, be, and they are hereby, approved; and be it

RESOLVED FURTHER, That the effective date of these revisions be January 1, 1997; and, be it

RESOLVED FINALLY, That the County Administrator/Superintendent of Schools, or designees, be, and are hereby, directed to administer these revised policies and changes in accordance with applicable General County Government and School policies and procedures.

PERSONNEL POLICY
Fauquier County, Virginia

Section 22

I. Pay Plan

A. The pay plan will be established and maintained with consideration to the duties and responsibilities of the various types of positions and to the prevailing pay rates in the public and private sector for substantially similar duties and responsibilities.

B. The County/School pay plan for classified positions shall have grades in 5% increments, and each grade shall include a minimum rate and maximum rate with 18 in-grade steps at approximately 2.5% between steps. The range between the minimum and maximum rate shall be approximately 52%.

II. Starting Rate of Pay

A. The normal entry level for appointment to the pay plan will be the minimum rate of the pay grade.

B. When deemed necessary by the appointing authority, the original appointment may be made beyond the minimum rate of the pay grade if one or more of the following conditions are met:

1. The qualifications of the applicant exceed the minimum qualification requests for the class; and/or
2. The applicant is a former employee; and/or
3. Difficulty of recruitment indicates payment of a higher rate is required.

C. The Board of Supervisors/School Board has authorized the County Administrator/Superintendent of Schools to delegate administrative authority to Department Heads/Constitutional Officers and Personnel Director to employ personnel up to 20% above the minimum base pay of the salary grade related to the position.

D. The Board of Supervisors/School Board has authorized the County Administrator/Superintendent of Schools to approve employment of personnel up to 50% above the minimum base pay for the assigned pay grade related to the position.

E. A former employee may be non-competitively re-appointed to his/her former position at the discretion of the appointing authority within ten working days following resignation. Such appointment may be made to a maximum of the salary he/she was receiving at the time of resignation.

III. Payroll Certification

A. No person shall be placed on the payroll of any department except pursuant to appropriate personnel policy or upon written approval of the County Administrator and/or Superintendent of Schools.

B. Whenever he may deem it necessary, the County Administrator/Superintendent of Schools may require the Personnel Department to certify, each pay period, or periodically, that each competitive service employee whose name appears on a payroll has been properly appointed or employed and is performing County/School service in accordance with the provisions of the Personnel Policy, and the position classification and pay plan and that the person's name appears on an official employee listing for the time for which such salary or compensation is paid

at the rate indicated on such listing.

C. The Personnel Department is authorized to establish procedures to handle the placement and removal of employees on the County/School payroll, and to process requests for changes in rate of pay. Whenever the Director of Personnel determines that a person is filling a competitive service position in violation of established Personnel Policy, he shall immediately send notice to the County Administrator/Superintendent of Schools and appointing authority and then take immediate and appropriate corrective action to resolve the matter.

IV. Employee Roster and Files

Each appointing authority shall promptly transmit to the Personnel Department all information deemed necessary by the Personnel Department for the establishment and maintenance of an employee personnel information listing and/or employee files.

V. Merit Pay Increases

A. An annual pay increase shall be granted to an employee if the employee's overall evaluation for job performance is at the Satisfactory level in his/her position. Such pay increases shall be awarded on an annual basis in accordance with the Employee Performance Evaluation Plan. Annual merit pay increases shall be granted until the employee reaches the maximum pay level of the grade to which he is assigned.

B. All submissions for merit pay increases will be accompanied by a completed performance evaluation form properly documented by the appropriate supervisors and employee.

VI. Merit Pay Increase Dates

A. All merit pay increases shall be effective at the direction of the Board of Supervisors/School Board.

VII. Creditable Service for Merit Pay Increases

A. Continuous paid employment as an employee in the competitive service will be considered as creditable service for consideration of a merit pay increase.

B. Overtime, service under a temporary appointment, or authorized leave without pay of more than thirty (30) days duration will not be considered as creditable service for consideration of a merit pay increase.

VIII. Cost of Living Adjustments to Pay Plan

Cost of living adjustments to the County/School pay plan may be made when changes to the consumer price index and other valid factors directly influencing the cost of living in the local and surrounding jurisdictions justify such adjustments. Cost of living adjustments will be made to the minimum and maximum rates of each pay range subject to approval by the Board of Supervisors/School Board.

A. All permanent employees will receive an annual COLA, subject to approval by the Board of Supervisors/School Board, to include those employees at or above step "R" within the grade range for their position.

B. Any newly hired permanent employee on probation shall be eligible to receive any COLA authorized by the Board of Supervisors/School Board on the same date as all other public employees.

IX. Pay Adjustments to Pay Plan as a Result of Salary Surveys

A. Periodically the Personnel Department will conduct pay comparability studies of pay rates paid by surrounding jurisdictions for selected County/School positions. The County/School Pay Plan may be adjusted based upon the results of these surveys and the approval of the County Administrator/Superintendent of Schools and/or the Board of Supervisors/School Board.

B. Employees whose current pay falls at or below the minimum rate of their new pay range will have their pay adjusted to the minimum rate of their new pay range. No other salary adjustments will be made.

Employees whose current salary rate is above the maximum rate of the pay range proposed for their grade level shall retain their current salary rate. Such pay retention, will continue indefinitely until such employees' retained rate can be placed within the appropriate pay range for their position and grade level. As approved by the Personnel Director, pay retention may be terminated by any of the following:

- Break in service of one workday or more
- Entitlement to a higher rate of pay
- Declining a reasonable offer of a position with a rate of pay at least equal to the retained pay rate
- Demotion for personal cause or at the employee's request

C. Merit pay increase anniversary dates will not change by virtue of the pay adjustments resulting from the implementation of salary survey results.

PERSONNEL POLICY
Fauquier County, Virginia

Section 23

I. Establishment of Position Classification Plan

The Board of Supervisors/School Board has approved the establishment of a Position Classification Plan. This plan is established in accordance with the provisions of the County/School Personnel Policy and with the recommendation of the County Administrator/Superintendent of Schools. All position classifications established within the County/School service are contained in the plan. The plan will be maintained by the Director of Personnel. Amendments and/or revisions to the plan will be effected only by approval of the Board of Supervisors/Superintendent of Schools.

II. Classification of Positions

- A. Each permanent position shall be classified by the County

Administrator/Superintendent of Schools in conjunction with the Director of Personnel, and/or the professional consulting firm under contract to conduct classification studies, and allocated to its appropriate class in accordance with the nature and level of difficulty when their duties are sufficiently similar that:

1. The same descriptive title may be used to designate each position in the class;
2. The same level of education, experience, knowledge, skills, abilities and other qualifications may be required of incumbents;
3. Similar tests of fitness may be used to select incumbents;
4. The same pay range will apply.

B. All classes involving the same nature of work, but differing as to level of difficulty and responsibility, shall be assembled into the same series. All series of classes within the same broad occupational field shall be assembled into the same group.

III. Preparation and Administration of the Position Classification Plan

A. The Department Head/Constitutional Officer, School Principal or Administrator shall notify the Director of Personnel when he/she feels that a new position needs to be created. The Department Head/Constitutional Officer, School Principal or Administrator must submit a request for a new position to the Department of Personnel.

B. The Director of Personnel will review the request, and if the Director of Personnel agrees that the new position request is in order, the request for the new position will be forwarded to the County Administrator/Superintendent of Schools.

C. The County Administrator/Superintendent of Schools must approve the request for a new position and upon approval, the request will be returned to the Department of Personnel. The Director of Personnel will then submit a new class specification to the consulting firm under contract to provide classification services in order that a title can be created and a grade assigned to the new position.

D. The Department Head/Constitutional Officer, School Principal or Administrator shall notify the Director of Personnel promptly of each such change of duties, responsibilities or work assignment and furnish detailed information relative to all positions under their jurisdictions.

E. All positions are to be evaluated and assigned to a salary grade in accordance with the following criteria:

1. External market comparability;
2. Internal relationships of all positions based upon each position's minimum requirements for:
 - a. Training
 - b. Experience
 - c. Level of work to be performed
 - d. Human relations skills
 - e. Physical demands

- f. Working conditions and hazards
- g. Independence of actions
- h. Impact on end results
- i. Supervision exercised

E. Once a new position classification has been completed by the professional consulting firm, the new position and grade will take effect. However, it will be established on a temporary basis. In order for the position to become permanent, it must be formally approved by the Board of Supervisors/School Board within one year after establishment of the temporary position. This will usually be consistent with the adoption of the annual operating budget.

F. The Director of Personnel shall maintain and publish a complete set of class specifications for all classes in the County/School service. Such specifications shall be reviewed periodically with a view to maintaining their accuracy and ascertaining their need for update.

IV. Interpretation of Class Specifications

In determining the class to which any position shall be allocated, the specifications of each class shall be considered as a whole, including the duties, responsibilities and other pertinent characteristics of positions which have been allocated to the class subsequent to the publication of the class specifications.

A. Class Title. The term "class title" or "title" shall refer to the official title of the class as specified in the class specifications and shall apply to all positions allocated to the class and shall be used in all personnel and administrative processes, except that other organizational titles may be used for purposes of internal administration.

B. Relationship of Classes. Each class of positions is to be considered in relationship to other classes in the County/School service in determining its proper grouping within the position classification plan and its compensation. The specifications of the classes are to be interpreted with this relationship in mind.

C. Specifications. The class specifications shall be descriptive and not restrictive. Class specifications shall contain the following information: position title, general definition of work, Americans With Disabilities Act compliance data, list of typical tasks, necessary knowledge, skills and abilities, education and experience requirements, and special qualifications. They are intended to indicate the kinds of positions which should be allocated to the several classes as determined by their duties and responsibilities and shall not be construed as declaring what the duties and responsibilities of any position shall be, or as limiting the power of any appointing authority to assign duties to, and to direct and control the work of employees under his/her supervision. The use of a particular expression or illustration as to duties shall not be held to exclude others not mentioned that are similar in nature, level of difficulty and responsibility, and qualification requirements.

V. Effect of Classification on Payment of Compensation

A. Approval of the payment of compensation to any person in a position shall not be made until such position has been allocated to a class and until the status of the individual in the position has been verified.

B. No County/School service employee shall be appointed, employed, certified, or paid from County/School funds under any title unless the position is defined in the position classification plan and is properly allocated in the department's budget.

VI. Status of Employees Upon the Reclassification of Positions

A. Upon the reclassification of a position from one class to another class of the same level, a lower level, or a higher level, the method of filling the position shall be determined in accordance with the rules regarding reassignments, position downgrades, or position upgrades, as may be appropriate.

B. Whenever a class is granted a salary adjustment, the incumbent shall retain the same status in the new class as he/she held in the old class.

C. The Director of Personnel may, before effecting status in the new class, require such evidence of the qualifications and fitness of the incumbent, including hearings, investigations and/or non-competitive examination, as he/she deems warranted.

D. Whenever the title of a class is changed without a change in duties or responsibilities, the incumbent shall retain the same status in the new class as he/she held in the old class.

VII. Reclassification Procedure

A. When a Department Head/Constitutional Officer, School Principal or Administrator feels that a particular position should be reclassified, they must submit a request to reclassify the position to the Department of Personnel.

B. Once the request to reclassify is received by the Department of Personnel, the request will be reviewed by the Director of Personnel. If the Director of Personnel agrees that the reclassification is in order, the request for reclassification will be forwarded to the County Administrator/Superintendent of Schools.

C. If the request for reclassification is approved by the County Administrator/Superintendent of Schools, it will be returned to the Department of Personnel with an indication of approval. The Director of Personnel will then submit a new class specification to the professional consulting firm in order that a title can be created and a grade assigned for the position.

D. On an annual basis, the Director of Personnel in conjunction with the County Administrator/Superintendent of Schools, shall select some positions for review and possible reclassification by the professional consulting firm so that all positions are studied within a three to four year period.

VIII. Position Classification Approval

A. The Department Head/Constitutional Officer, School Principal or Administrator shall submit an Agenda Request and Resolution for the Board of Supervisors'/School Board's approval. Action by the Board of Supervisors/School Board will be made in accordance with the County/School Personnel Policy and other applicable personnel regulations and/or ordinances.

B. All positions reclassified by more than three (3) grade advances where the new grade is twenty (20) or above will require external advertisement.

IX. Appeals on Position Classification

Department Heads/Constitutional Officers, School Principal or Administrator may appeal a position classification made by the Director of Personnel by requesting an administrative review by the County Administrator/Superintendent of Schools of the position classification prior to submission to the Board of Supervisors.

X. Abolishment of Position

The Board of Supervisors/School Board may abolish a classified position whenever funds are not available or when it is deemed necessary and in the best interest of the County to take such action. No position shall be deemed to be held as a matter or right.

XI. Salary Assignment of Employee Whose Position is Downgraded

Each employee filling a position which is downgraded as a result of a position reclassification shall retain in his/her downgraded position the salary he/she is receiving on the effective date of such action. This includes an employee whose salary is in excess of the maximum step of the grade to which the position is newly assigned. In order for the incumbent to qualify for the downgraded position, he/she must be performing the duties of the position as well as meet the minimum requirements for it. In the event that the incumbent fails to meet the minimum requirements of the position, he will be subject to the provisions of paragraph XIII of this section.

XII. Salary Assignment of Employee Whose Position is Upgraded

Upgrading will be effected upon approval by the Board of Supervisors/School Board of a reclassified position to a higher pay grade. In order to be promoted to the reclassified position, the incumbent must be currently performing the duties and possess the minimum qualifications of the position. Reclassifications resulting in position upgrades will be treated the same as pay adjustments resulting from salary surveys.

XIII. Salary Assignment of Transferred Employee Whose Position is Abolished

Each employee filling a position which is abolished as a result of reclassification, lack of funds, lack of necessary work, etc. shall be transferred to another position and maintain the same rate of pay, provided another such comparable position, for which the employee is qualified, exists. The employee shall receive the same salary he/she is receiving on the effective date the position is abolished unless the gaining department budget cannot provide the same salary. The employee will be eligible for the next comparable vacant position that occurs should a vacancy not exist within County/School service. The employee's merit pay increase date will not change unless there is a break in service.

XIV. Salary Assignment for Overall Classification Upgrading

When an entire class of positions is upgraded, all employees within the class will be placed in the entry level of the new grade. The employee whose salary is above the entrance level of the new grade will not receive an

increase in salary, but would be placed within the new grade salary range at the step commensurate with their salary. The merit pay increase date will remain unchanged.

XV. Position Control System

A. The Position Control System is used to record and monitor permanent full-time and permanent part-time positions authorized by the Board of Supervisors/School Board. The system shall include, as a minimum, the following descriptive data on each position:

1. Type of appointment (permanent full-time or permanent part-time)
2. Classification (title, class, class series, grade level)
3. Salary (yearly, monthly and hourly rate)
4. Number of authorized hours per pay period for permanent part-time

B. Any change to a department's position complement adopted by the Board of Supervisors/School Board in the annual budget must be reviewed and approved in accordance with the following procedures:

1. Board of Supervisors'/School Board's approval through regular agenda process is required for:

- a. Creation of new positions
- b. Reclassification of existing positions
- c. Change in type of appointment if it results in additional cost to the County

2. The Director of Personnel and the County Administrator/Superintendent of Schools shall be notified prior to the following actions being effected:

- a. Change in the cost distribution of a position
- b. Deletion of a position
- c. Change in type of appointment that will not result in additional cost to the County

C. Any position change requiring the Board of Supervisors'/School Board's or County Administrator's/Superintendent of Schools' approval must be reviewed by the Director of Personnel prior to its submission to the County Administrator/Superintendent of Schools.

Authorization to Revise Personnel Policy Section #2, Leave; Section #11, Applications and Applicants; Section #17, Employee Performance Evaluations; and Section #26, Reduction in Force

RESOLUTION

A RESOLUTION TO REVISE PERSONNEL POLICY SECTIONS #2, LEAVE; SECTION #11, APPLICATIONS & APPLICANTS; SECTION #17, EMPLOYEE PERFORMANCE EVALUATION; AND SECTION #26, REDUCTION IN FORCE

WHEREAS, the Department of Personnel Services periodically reviews certain Personnel Policies to ensure that they are meeting the objectives of the County and the needs of the County employees; and

WHEREAS, the Department of Personnel Services, in conjunction with the Personnel Policy Committee, conducted such a review of these policies; and

WHEREAS, based upon the review, it is recommended that these policy revisions reflect procedural and administrative changes; now, therefore, be it

RESOLVED, by the Fauquier County Board of Supervisors this 4th day of February 1997, That the revisions made in Personnel Policies, Section #2 Leave; Section #11, Applications & Applicants; Section #17, Employee Performance Evaluation; and Section #26, Reduction In Force be, and they are hereby, approved; and be it

RESOLVED FURTHER, That the effective date of these revisions be January 1, 1997; and, be it

RESOLVED FINALLY, That the County Administrator be, and is hereby, directed to administer these revised policies and changes in accordance with applicable Fauquier County policies and procedures.

PERSONNEL POLICY

Fauquier County, Virginia

Section 2

I. Definition

Leave is an authorized absence during regularly scheduled work hours that has been approved by proper supervisory authority. Leave may be authorized with or without pay. Any absence without appropriate supervisory approval is considered unauthorized leave.

II. Leave Policy

All permanent employees are encouraged to take annual leave for vacation purposes each year. Supervisory authorities or their designees shall grant leave in accordance with these rules on the basis of the work requirements in the department, and whenever possible, the personal wishes of the employee. Employees requesting leave shall do so on an official leave request form signed by the employee for the approving supervisor's signature. Annual leave must be approved by the immediate supervisor or other department supervisor prior to taking the leave so that the ability of the department to perform its work is not unduly affected. A department head's annual leave request must be approved by the County Administrator, if that department is directly under the control of the Board of Supervisors.

III. Annual Leave

Supervisory authorities shall grant annual leave with pay to permanent employees in accordance with the following provisions:

A. Annual leave will be earned by employees beginning from the date of appointment to the permanent position. No employee will be allowed to receive leave credits for prior service in an appointment status other than permanent.

B. Annual leave shall normally be granted each calendar year unless a supervisory authority specifically defers an employee's vacation

because of work requirements. Every effort will be made to reschedule the employee's vacation to a later date desired by the employee.

C. Annual leave shall not exceed the total amount credited to an employee's authorized annual leave balance.

D. Part-time, permanent employees who are required to work an established regularly scheduled work week or to remain in an official work status for a specific tour of duty shall be eligible to earn and accrue pro-rated annual leave each monthly payroll period.

E. Generally, annual leave shall not be donated or conveyed from one employee to another employee. A supervisory authority may ask that annual leave be donated for use as sick leave, in cases of extreme hardship by formal request to the County Administrator. Prior to the request, the supervisory authority and the Personnel Director shall review the employee's leave record to ascertain if the request is warranted. The donation and transfer of annual leave by one employee to another employee to be used as sick leave shall be subject to established personnel procedures governing such donations.

IV. Earning and Accumulating Annual Leave

A. Annual leave shall be earned and accumulated by all full-time, permanent employees working a 37.5 hour week as follows:

1. From zero (0) through five (5) years service - Seven and one-half (7 1/2) hours per monthly payroll period and a maximum accumulation of 190 hours.

2. From six (6) through ten (10) years service - Nine and one-half (1/2) hours per monthly payroll period and maximum accumulation of 225 hours.

3. From eleven (11) through fifteen (15) years service - Eleven and one-half (11 1/2) hours per monthly payroll period and a maximum accumulation of 270 hours.

4. Sixteen (16) years service and up - Thirteen and one-half (13 1/2) hours per monthly payroll period and a maximum accumulation of 315 hours.

Permanent employees who work revised work schedules (such as, but not limited to, personnel employed in the Sheriff's Office or Office of Emergency Services) shall earn and accumulate annual leave on a pro-rated basis.

B. Annual leave shall be dropped which is in excess of the specific limits imposed by the above paragraph and exists at the end of the leave year, December 31st. However, a Constitutional Officer or Department Head may request that approval be given by the County Administrator for an employee to carry excess annual leave when work load requirements clearly prevent an employee from using his/her scheduled annual leave. The request for approval must be supported by appropriate Policy documentation to include disapproved leave requests reflecting the specific reasons for disapproval and a proposed time schedule not to exceed four (4) months, wherein the carry over leave will be used. All carry over leave not used within the approved time schedule will be forfeited.

C. Annual leave does not accrue for any period unless the employee is compensated for at least one-half (1/2) of the working days in that pay period.

D. A permanent employee who separates from the competitive service and returns to County employment within one year from the separation date shall have his/her formal accrual rate reinstated.

V. Using (Debiting) Annual Leave

Annual leave shall be debited as follows:

A. The amount of annual leave to be debited shall be computed on the basis of the exact number of days or hours an employee is scheduled to work.

B. Annual leave shall be debited in no less than one-half (1/2) units.

C. Each department shall forward to the Finance Department an approved monthly annual leave record indicating annual leave debits, credits, and balances for each of their employees and approved annual leave request forms covering all annual leave taken by department employees.

VI. Effect of Transfers on Annual Leave Credits

Any annual leave credits held by permanent employees at the time of transfer from one department to another shall be transferred to the new department.

VII. Effect of Separation on Annual Leave Credits

A. Upon voluntary separation, an employee shall be paid a lump sum for the unused portion of his/her currently accrued annual leave balance not to exceed the maximum authorized accumulation, except as modified by the rules governing resignation without sufficient notice, and unsatisfactory service separation. The terminating employee may, with the Department Head/Constitutional Officer's permission, use his/her accrued annual leave until the balance is exhausted. In this case, the employee's termination date shall be effective at the close of business on the last day of annual leave, and therefore, no compensation for annual leave will be paid out to the terminating employee.

B. A Personnel Action Notification Form (PAN) showing the last day of work as the effective date of separation will be sent to the Personnel Office. This form shall show the number of days of authorized annual leave and compensatory leave being granted to the employee for which compensation is appropriate.

VIII. Sick Leave

Sick leave is paid leave that may be granted to each permanent employee who through sickness or non-work related injury becomes incapacitated to a degree that makes it impossible for him/her to perform the duties of his/her position, would pose a threat to the health of other employees, or who is quarantined by a physician because he/she has been exposed to a contagious disease. Sick leave may also be granted to each eligible employee for medical, dental, or optical diagnosis or treatment which cannot reasonably be scheduled during non-working hours.

IX. Granting of Sick Leave

Supervisory authorities shall grant sick leave with pay to permanent employees in accordance with the following provisions:

A. Leave for sickness shall not exceed the total amount credited to an employee at the time of absence. Sick leave shall not be advanced to any employee.

B. Leave without pay may be granted for sickness extending beyond the accumulated balance.

C. Employees may use annual leave and compensatory leave credits for sick leave when sick leave credits are exhausted.

D. Each employee is required to submit a signed leave request form for the approval of their supervisor of the leave and the nature/type of sick leave desired or in the case of emergency sick leave, the duration and type of sick leave already taken, upon return to duty.

E. Sick leave shall not be donated or conveyed by one employee to another employee. However, each employee may voluntarily enroll and contribute to the County Sick Leave Bank from which eligible employees may withdraw sick days in accordance with established Personnel Procedures.

X. Use of Sick Leave for an Operation, Special Medical, Dental or Optical Treatment

An employee who has prior knowledge that he may have to use sick leave shall make application in advance of its use. Advanced approval is necessary for such situations as an operation, special medical, dental or optical treatment.

XI. Use of Sick Leave for Illness or Injury

An employee who is not able to report to work because of illness or injury shall notify his/her supervisor or other designee, or have someone else notify the supervisor prior to the normal reporting time on the first day of the absence and at such other times following the first day of his/her absence, as may be required by the employee's supervisor. An employee may be disallowed the use of sick leave or may be subject to disciplinary action if he/she fails to notify the appropriate supervisor that he/she is unable to report to work because of illness or injury within the time limits prescribed in the preceding paragraph.

XII. Written Certification of Illness or Injury of More Than Three (3) Days

Sick leave is a benefit to be used when justified and not abused or used as annual leave. An employee using three (3) or more consecutive work days on sick leave may be required to submit a certificate by a physician confirming the employee's illness or injury and his/her inability to report to work or to perform part or all of the duties and responsibilities of his/her position. If required by the responsible supervisor, an employee must submit a physician's certificate within five (5) work days in which an employee is unable to report to work. Failure to present the necessary certificates will preclude the use of the employee's sick leave.

XIII. Special Written Certification or Medical Examination

The appropriate supervisory authority may require an employee to submit a physician's certificate for illness or injury, or special medical treatment if it appears that such use of sick leave is excessive or questionable. In such cases the employee may be required to take a medical examination at the expense of the County. A responsible supervisor may also require a physician's certification that a returning employee is fit for duty and may require a County paid medical exam.

XIV. False or Fraudulent Use of Sick Leave

An appropriate supervisory authority may investigate the alleged illness of an employee absent on sick leave if it is believed that the employee is falsely or fraudulently using sick leave.

XV. Maternity Leave

Maternity leave is included under sick leave and a portion may be charged to sick leave credits. However, a pregnant employee must furnish her supervisor with:

A. A statement from her physician certifying the estimated date of birth.

B. If she and her physician conclude that she must cease working because of medical disability caused or contributed to her by pregnancy, a statement is to be furnished from her physician.

C. Additional time off prior to and/or following delivery for personal reasons and not medically required shall be charged to annual leave, compensatory leave, or leave without pay and shall be granted at the discretion of the Department Head/Constitutional Officer or immediate supervisor.

D. Following confinement, an employee may return to work not earlier than one month, except with written approval from her physician. The employee must return to work within three (3) months after confinement or she shall be terminated, unless other leave has been requested.

XVI. Crediting Sick Leave

A. Seven and one-half (7 1/2) hours of sick leave will be credited to full-time permanent employees each monthly payroll period. Full-time, temporary employees shall not be eligible to earn or accrue sick leave.

B. There will be no maximum balance of sick leave which may be accumulated by an employee.

C. Sick leave does not accrue for any pay period unless the employee is compensated for at least one-half (1/2) of the working days in that pay period.

D. Part-time, permanent employees who are required to work an established regularly schedule work week or to remain in an official work status for a specific tour of duty shall be eligible to earn and accrue pro-rated sick leave each monthly payroll period. Part-time, temporary employees shall not be eligible to earn and accrue sick leave.

XVII. Sick Leave Shall be Debited as follows:

A. The amount of sick leave to be debited shall be computed on the basis of the exact number of days or hours an employee is scheduled to work.

B. Each department shall forward to the Payroll Office in the Finance Department an approved monthly sick leave record indicating sick leave debits, credits and balances for each of their employees and approved sick leave request forms covering all sick leave taken by department employees.

C. Sick leave shall be debited in no less than one-half (1/2) hour units.

XVIII. Effect of Promotion or Transfer on Sick Leave

An employee who is promoted or transfers from one department to another within the County service shall have his/her total sick leave balance transferred to the new position and/or department.

XIX. Effect of Separation on Sick Leave Credits

A. Upon voluntary separation, an employee, with three (3) years or more of service, shall be paid a lump sum for the unused portion of his/her currently accumulated sick leave balance on the following sliding scale:

1 - 50 days at \$20 per day
51 - 100 days at \$30 per day
101 - 150 days at \$40 per day
151 days and above at \$50 per day

B. A Personnel Action Notification Form (PAN) showing the last day of work as the effective date of separation will be sent to the Personnel Office. This form shall show the number of days of authorized sick leave being granted to the employee for which compensation is appropriate.

XX. Conversion of Sick Leave

Conversion of sick leave to annual leave shall not be permitted.

XXI. Family Illness Leave

Sick leave benefits may be granted for necessary care and attendance of all ill family members of the employee's household, such as husband, wife, children, mother, father, sister, brother, and grandparents. Up to three (3) days sick leave for any one cause may be used, but not more than a total of six (6) days may be used in a calendar year.

XXII. Use of Compensatory, Annual or Sick Leave to Supplement Workers

Compensation Awards

Any employee who receives a workers compensation award for temporary total disability due to a work related illness or injury shall be paid in accordance with the award. The workers compensation act provides for payment of $66 \frac{2}{3}$ of an employee's average weekly wage during periods of total disability. Employees with sufficient annual or sick leave may

supplement this payment in accordance with the terms of this policy. In accordance with Section 65.2-509 of the Code of Virginia, 1950, as amended, no compensation shall be allowed for the first seven (7) calendar days of incapacity resulting from an injury/illness, but if incapacity extends beyond that period compensation shall commence with the eighth day of disability. If, however, such incapacity shall continue for a period of more than twenty-one (21) consecutive calendar days not including the day of injury, then compensation shall be allowed from the first day of such incapacity. A working day is defined as the employee's normal length of day, not to include overtime.

During those periods when worker's compensation is not provided, pay, if any must be charged to the employee's accrued sick leave. Employees are advised to maintain a sufficient sick leave balance to avoid leave without pay during the seven (7) calendar day waiting period. An employee who has maintained a sufficient leave balance may have the option of keeping the check from VML and being charged 1/3 of his/her sick leave for each day of incapacity, or remitting the check to the County and have 66-2/3% of sick leave restored (supplement the 66-2/3's compensation from VML) by using 1/3 day of sick leave for each day of incapacity, the employee may receive payments up to his/her annual average salary. Compensatory, then annual leave, may be used if an employee's sick leave is exhausted. An employee who sustains a work related injury or contracts a work related illness is not eligible to draw leave from the Sick Leave Bank.

XXIII. Military Leave

A. In a time of national emergency, all permanent employees, whether probationary or non-probationary, who are called to service in the Armed Forces of the United States will be considered permanent employees, and the County will bear the cost of this policy so that all employees who are called to military service be extended all fringe benefits to include the following:

1. Fauquier County will pay the employer/employee portion of the employee's health care coverage
2. Fauquier County will pay the employer/employee portion of the employee's retirement premium.
3. Fauquier County will submit an application to the Virginia Retirement System for Free Service Credit for Military Leave for employees on their return to work at the end of the leave period who have been granted official leave to serve in the Armed Forces of the United States.
4. Fauquier County will pay the employer/employee portion of the Life Insurance premium through the Virginia Retirement System.

All permanent employees who leave the competitive service to join the military forces of the United States during the time of war or other national emergency, as determined by the Board of Supervisors, or who is drafted into military service at any time, shall be placed on military leave without pay, such leave to extend through a date ninety (90) days after he/she is relieved from such service. Such employee shall

be entitled to be restored to the position he/she vacated, provided he/she makes application to the Personnel Office within ninety (90) days after the date of his/her honorable discharge, and is physically and mentally capable of performing the work of his/her position.

B. In the event a position is vacated by an employee entering the armed services no longer exists at the time he/she qualified for return to work, such person shall be entitled to be re-employed in another position of the same classification in the County service, provided such re-employment does not necessitate the laying off of another person who was appointed at an earlier date than such person returning from military leave.

C. An employee who leaves the County service directly for such military leave, without pay, may elect to be paid for any accrued annual leave or compensatory time due him/her. If the employee elects not to be paid for such leave, the accrued leave credits shall be reinstated upon return of the employee to the County service.

D. An employee who leaves the County service directly for military leave without pay and applies for re-employment within ten (10) days after rejection or ninety (90) days after honorable discharge from military service shall have his/her former unused sick leave credits reinstated if appointment is made within one (1) year from the date of the re-application and shall receive all merit or general salary increases he/she normally would have received had he/she remained on the job.

E. During a time of non-emergency, a permanent (whether probationary or non-probationary) employee who is a member of the National Guard or an organized military reserve of the United States will be allowed a leave of absence with pay not to exceed fifteen (15) calendar days during any one calendar year to attend training camp. In the event the time of such training is optional, the time shall be designated at the discretion of the employee's supervisor. An employee is entitled to leave with full pay not to exceed one (1) day to report for a selective service physical examination. Leave for such an examination is included as part of the fifteen (15) days military leave allowed each year.

F. Requests for military leave shall be made in writing by the employee to his/her supervisor and shall be accompanied by a copy of the official leave orders. Approval of such request must be signed by the employee's supervisor and submitted to the Personnel Office within ten (10) days prior to the effective date of the leave request.

G. A member of the Virginia National Guard or Naval Militia who is absent from duty because of being called to State service under order of the Governor shall be entitled to leave of absence at full pay for the period of ordered absence.

H. Military leave shall be in addition to leave otherwise allowable.

XXIV. Leave Without Pay

An appropriate supervisory authority may grant a permanent employee leave without pay for a period not to exceed (90) calendar days. Requests for leave without pay in excess of ninety (90) days must be approved by the Board of Supervisors. All requests shall be subject to the following:

A. Leave without pay is appropriately used for unauthorized absences or authorized absences when other leave and credits are not available or appropriate.

B. Leave without pay shall be granted only when it is in the interest of the County to do so.

C. Credit toward annual leave and sick leave shall not be earned during leave without pay.

D. Leave without pay shall not constitute a break in service, but changes the merit pay increase date if the employee is absent more than thirty (30) days.

E. Failure on the part of the employee to report for duty promptly at the expiration of leave without pay may be cause for dismissal.

XXV. Holiday Leave

A. The following holidays are observed by the County as official holidays with full pay for permanent employees who are on the payroll the working day prior to the holiday:

New Year's Day	January 1
Lee-Jackson-King Day	3rd Monday in January
Presidents' Day	3rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	1st Monday in September
Columbus Day	2nd Monday in October
Veteran's Day	November 11
Thanksgiving Day	4th Thursday in November
Thanksgiving Friday	4th Friday in November
Winter Break	December 25

Or any other holiday designated by the Governor of Virginia or the President of the United States.

B. Special holidays may be designated by action of the Board of Supervisors as an official holiday or non-work day.

C. County Employees employed in Consolidated Finance, Consolidated Personnel, and Consolidated Support Services shall follow the thirteen legal holiday schedule for the Public Schools. To create an equitable working environment between the County Government and the School Division, County employees will be given two (2) floating holidays per calendar year in addition to their above mentioned holiday schedule. Department Heads/Constitutional Officers will coordinate the additional days of holiday with their employees so that offices are adequately staffed and service to the public is not disrupted.

D. It shall be the policy of the County to insure that all permanent employees enjoy the same number of holidays each year, regardless of the provisions of the section on granting holiday leave. The standard shall be the number of holidays in a particular year which will be celebrated by employees working a normal work-week of Monday through Friday. The working schedules of permanent employees on a work-week of other than Monday through Friday shall be arranged so that these employees celebrate no more or fewer holidays than the standard for the year.

E. Part-time permanent employees who work a minimum of 20 hours per week and have been employed for at least one (1) year, and who are regularly scheduled for work on a holiday shall be compensated for that

holiday at the normal length of a work day. Part-time permanent employees who are not regularly scheduled to work on a holiday will not be compensated for that holiday.

XXVI. Granting Holiday Leave

The granting of holiday leave observed by the County shall be subject to the following provisions, unless specifically designated to the contrary:

A. Holiday on Weekend - Generally when a holiday falls on a Saturday, it shall be observed on the preceding Friday. When a holiday falls on a Sunday, the following Monday shall be observed as the holiday. The official holiday schedule is designated by the Board of Supervisors.

B. Holiday on Mandatory Work Day - Employees who are required to work on a holiday shall be granted appropriate compensatory time off.

C. Holiday on Scheduled Day Off - Within the policy established in this section on holiday leave, whenever one of the designated holidays falls on an employee's scheduled day off, an additional compensatory day shall be granted. (Applies only to employees who normally work on Saturday or Sunday.)

D. Holidays for Temporary, Part-Time Employees - Temporary, Part-time employees shall not be paid for holidays which fall on days for which they would be scheduled to work.

E. Holidays During Paid Leave - A holiday falling within a period of paid leave shall not be counted as a work day in computing leave charged to any employee. However, when an employee is absent on a holiday for which he/she is scheduled to work, time shall be deducted from his/her sick leave or annual leave or be charged to leave without pay or other applicable leave.

F. Holiday During Unpaid Leave - When a holiday falls within a period of leave without pay or immediately preceding or following such leave, the employee shall receive no pay for the holiday.

G. Appointment or Separation on Holiday - The appointment or separation of an employee shall not be effected on a holiday, except when the employee works that day.

XXVII. Administrative Leave

A. Administrative leave shall be such other paid leave, as authorized by a supervisory authority, subject to approval by the County Administrator. Any paid leave specifically authorized by the Board of Supervisors and not otherwise classified by these rules, shall be classified as administrative leave.

B. Illustrative examples of administrative leave include breakdown of equipment making it impossible to do assigned tasks or suspension of an employee due to investigation of a complaint.

XXVIII. Unauthorized Absence

A. An employee who is absent from duty without approval shall:

1. Receive no pay for the duration of the absence; and
2. Be subject to disciplinary action which may include dismissal.

B. It is recognized that there may be extenuating circumstances for unauthorized absence and due consideration shall be given each case by the employee's supervisor.

C. Failure of an employee to report for work at the expiration of an authorized leave or to request an extension of such leave shall be considered an absence without leave.

XXIX. Procedure for Requesting Leave

For all leave, with the exception of official holiday, emergency sick leave, and administrative leave, a request indicating the kind of leave, duration and leave dates of departure and return must be approved prior to the taking of leave. The request for leave should be submitted to the supervisor in advance of taking such leave. In the case of emergency sick leave, the leave form shall be completed and submitted for approval immediately upon the employee's return to duty.

XXX. Maintenance of Leave Records

Supervisors shall be responsible for the maintenance of accurate leave records and their monthly submission to the Payroll Office in the Finance Department. Such records shall be kept on a form prescribed by the Finance Director, who is responsible for assuring that the provisions of these rules are being followed, and for directing corrective action be taken when warranted.

XXXI. Separation Effect Upon Pay

Accrued but unexpected sick or annual leave credits shall not be deemed vested property interest until the employee has voluntarily or satisfactorily separated from County service. Consequently, no employee who is dismissed or separated for unsatisfactory services will be entitled to payment for unused sick leave credits, but may be entitled to payment for unused annual leave credits upon the approval of the employee's supervisory authority and in accordance with leave regulations and policy.

XXXII. Inclement Weather Leave Policy

Operational Procedures for Emergency Closing and Delayed Opening for Fauquier County Employees:

In the event public offices are to be closed due to inclement weather or other emergencies, the following messages (designated by color code) will be disseminated through designated media by the Superintendent of Schools. County employees should stay tuned to designated media for instructions.

For the purposes of these operational procedures, the term public offices herein refers to all county offices. In addition, the following employees are also included:

1. Consolidated Support Staff
2. Custodians

Codes:

- A. Code "Red" - All Public Offices Closed

When Code "Red" is announced, employees will be affected as follows:

1. Maintenance staff does not report - on stand by
2. Custodians do not report - on stand by
3. All office personnel do not report

- B. Code "Blue" - Public Offices Open

When Code "Blue" is announced, employees will be affected as follows:

1. Maintenance staff reports regular hours
2. Custodians report regular hours
3. Public offices report regular time, but if late no penalty. Employees inform their supervisor if late. Employee must be at work at least 4 hours or use annual leave or leave without pay.

- C. Code "Green" - Delayed Opening

When Code "Green" is announced, employees will be affected as follows:

1. Maintenance staff reports regular time
2. Custodians report regular time
3. Public Offices report regular time. Employees may report late due to extenuating weather-related circumstances only with permission of their supervisor.
4. Any employee scheduled to be on leave during a delayed opening day shall be charged a full day leave for that day.

- D. Early Closing

1. All employees leave at designated time unless supervisor approves earlier release.

XXXVIII. Bereavement Leave

Bereavement leave may be granted to an employee in the event of the death of a member of the employee's immediate family. "Immediate family" is defined as the employee's spouse, children, parents, parents-in-law, grandparents, grandparents-in-law, grandchildren, brother, sister, sister-in-law, brother-in-law, or in addition, any other relative living in the household of the employee. Leave taken due to death of others shall be charged to annual leave, compensatory leave, or leave without pay. Bereavement leave shall be non-chargeable and limited to four (4) consecutive days for any one incident. Required and requested additional leave may be approved and charged to annual, compensatory, leave without pay, or annual leave may be donated by one employee to another employee to be used as bereavement leave.

The donation and transfer of annual leave by one employee to another employee to be used as bereavement leave shall be subject to the following provisions:

A. Prior to submission of a formal request for transfer of annual leave, the responsible Department Head/Constitutional Officer and the Personnel Director shall review the donating and the receiving employee's leave records to ascertain the appropriateness of the request. If such review indicates a formal request is not warranted, no further action will be taken.

B. If deemed warranted, a formal request shall be submitted by the donating employee through the appropriate Department Head/Constitutional Officer, the County Administrator, and the Personnel Director for approval and certification. A copy of the completed form will be maintained in the Personnel Department and a copy will be furnished the donor. The formal request forms shall be obtained from the Personnel Department.

C. Mandatory limits shall not be established for this voluntary donation of annual leave, however, individual circumstances such as the amount of leave accrued by the donor, the probability of forfeiture, the nature of the hardship, etc. shall be considered in determining the appropriate amount to be approved for transfer.

D. Only permanent employees shall be eligible to participate in the donation and receipt of annual leave to be used as bereavement leave.

E. To be eligible to receive donations of annual leave to be used as bereavement leave would be recipients must have used all personal accruals of annual leave, sick leave and compensatory leave.

F. Department Heads/Constitutional Officers shall not be eligible to donate annual leave to or receive annual leave from their subordinate employees and employees of other departments for use as bereavement leave, except that they may donate annual leave to or receive annual leave from other Department Heads/Constitutional Officers.

G. Employees shall not be eligible to donate annual leave to their Department Heads/Constitutional Officers and supervisors, as well as other Department Heads/Constitutional Officers and supervisors.

H. To the extent that County Personnel Policy permits the use of compensatory time in lieu of annual leave, compensatory time may be treated as annual leave and subsequently donated to use as bereavement leave.

I. The donation of annual leave from one employee to another employee for use as bereavement leave shall be a voluntary act on the part of the donor, and is to be neither encouraged nor discouraged by management. It is, however, recognized as a viable means of alleviating extreme hardships that may be incurred by County employees and is to be given management's support when justified.

XXXIV. Civil Leave

An employee may use civil leave with full pay for an absence necessary to serve on a jury or attend court as a witness under a subpoena. The employee who is compensated for civil duties, as by jury or witness fee,

shall be paid only the difference between such compensation and his/her regular salary for the period of absence unless the absence is charged to earned annual leave or compensatory leave. A copy of the court summons or subpoena will be submitted to the employee's supervisor and made a part of the employee's official leave record.

XXXV. Compensatory Leave/Overtime Pay

Fauquier County has made compensatory time in lieu of cash overtime payments to covered employees a condition of employment unless overtime payments are specifically authorized by the Board of Supervisors. If there is an emergency situation, the County Administrator or his designee, on a one time case by case basis, may grant overtime payment to a department if the total amount is less than \$2,500. If overtime payment is more than \$2,500, the responsible Department Head/Constitutional Officer shall submit the request for overtime payment to the Board of Supervisors' Finance Committee and subsequently to the Board of Supervisors for approval. Overtime payment may be granted to those departments who are responsible to a Board of Directors, (e.g., Parks and Recreation, Public Library and Department of Social Services) if overtime payment is approved by their Board and if the money is in the department's budget. Due to the overtime requirements and the demands of the Sheriff's Office and the Office of Emergency Services, it shall be the policy of the Board of Supervisors to grant overtime payment rather than compensatory time to personnel employed in law enforcement and public safety.

Compensatory leave is authorized in accordance with the provisions of the Fair Labor Standards Act (FLSA), as amended November 13, 1985. The Department Head/Constitutional Officer must authorize the accumulation of compensatory leave and regulate the use of compensatory leave so as not to interfere with the normal work flow of the department. Compensatory leave may be used in lieu of annual leave or sick leave and should be taken as soon as possible. It is not to be accumulated for long periods. The Personnel Director shall issue implementing instructions governing the authorization, usage and accumulation of compensatory leave, as deemed necessary by the County Administrator.

Compensatory leave is not applicable to Department Heads/Constitutional Officers or to employees who independently determine the need for extra hours or to a position in which administrative or professional responsibility for work accomplishment without regard for schedule is implicit. However, all employees may take compensatory leave if required to work on a holiday.

It is understood that employees who are basically ineligible for compensatory leave may use their discretion in taking time during the work day for personal affairs with expressed permission of their Department Head/Constitutional Officer or supervisor if they have been working a considerable amount of overtime. This, however, does not mean those employees are entitled to time off on an hour-for-hour basis.

PERSONNEL POLICY

Fauquier County, Virginia

Section 11

I. Open Continuous Applications

Applications will be accepted by the Department of Personnel only

when a vacancy exists.

II. Method of Application

Each applicant for a competitive service position shall make application on the official joint County/School employment application form obtainable from the Department of Personnel. All applications shall be submitted to the Department of Personnel. Applications and related material shall be considered the property of the County.

III. Limited Application Acceptance Period

The Department of Personnel may, in its discretion, fix a reasonable time limit during which applications will be accepted and considered for an announced position.

IV. Examination of Applicants

All applicants for advertised positions are screened by the Department of Personnel according to criteria cited in the advertisement as well as the requirements listed in the class specification. Qualified applicants, as determined by the Department of Personnel, are forwarded to the department where the vacancy exists. Interviews will be conducted by appropriate supervisory authorities or their delegates.

The Board of Supervisors/School Board has delegated its authority to make appointments to appropriate supervisory authorities except in those cases specifically identified in the Personnel Policy.

V. Disqualification of Applicants

The County reserves the right to reject applicants for any lawful reason. Causes for rejection of an applicant may include, but are not limited to the following examples, which are set forth for illustrative purposes only:

1. That the applicant does not meet the basic and necessary requirements specified in the announcement for admission to the examination;
2. That the applicant has falsely stated any material fact or has attempted to practice deception or fraud in his/her application;
3. That the applicant is dependent or addicted to the excessive use of controlled substances or intoxicating beverages;
4. That the applicant has been found guilty of a felony, misdemeanor, or of a crime involving moral turpitude or of disgraceful conduct, such as to render him/her presently unfit, in the judgment of the Department of Personnel for a position of the class for which he/she is applying or for the County service;
5. That the applicant has a record of previous unsatisfactory service, in County/School employment or elsewhere, of such a nature as to demonstrate unsatisfactory service for employment in a position of the class for which he/she is applying;
6. That the applicant has used or attempted to use, prior to, during or subsequent to the examination, fraud or pressure of any kind for the purpose of bettering his/her grade in the examination or to obtain certification

to any position.

VI. Disqualification Notice

Each applicant whose application is rejected shall be notified by the Department of Personnel, who need not advise the applicant of the reasons for rejection.

VII. Notification of Acceptance

Each applicant whose application is accepted will be notified by the Department of Personnel or a supervisory authority and advised as to one or more of the following:

1. That he/she is to report for an interview;
2. That he/she is to report for an examination (oral, written post-offer employment physical or any combination thereof) and/or interview on a given date;

VIII. Competitive Service Employee Applications

An employee of the County/Schools shall be free to make application for competitive service positions for which he/she believes he/she may be qualified. For recruitment purposes only, Auxiliary Deputies and Explorers are eligible to apply for position vacancies in the Sheriff's Office. Such application shall be submitted to the Department of Personnel. An employee shall also be free to make application for any position outside the County Government/School System. Any employee making application shall not be penalized for so doing, nor shall continuance in his/her present position be jeopardized. The other provisions of these regulations shall apply to employee applicants, as appropriate.

IX. Employment Policy

Discrimination against any person in recruitment, examination, appointment, training, promotion, retention, discipline or other aspects of personnel administration because of political or religious opinions or affiliations or discrimination on the basis of race, age, sex or physical requirements is prohibited except that such discrimination may constitute a bona fide occupational qualification necessary for proper, efficient County/School administration.

X. Nepotism

Individuals having relatives employed by Fauquier County Government/School System may be employed in the County/School service provided the individual is not;

1. Directly supervised by a relative;
2. Within the same division of the department as the relative;
3. In a number two position in the department where even in a temporary situation one relative would be supervising the other.

XI. Retention of Applications

Applications will remain in an active status for one (1) year.

XII. Medical Examinations

Final employment offers for certain positions are contingent upon the applicant satisfactorily passing a medical examination as specified in the appropriate section of the County Personnel Policy.

XIII. Applicant Travel Reimbursement

Candidates for position vacancies may be reimbursed for travel expenses only at the discretion of the County Administrator/Superintendent of Schools. The rate will be determined by, and must be approved by, the County Administrator/Superintendent of Schools.

PERSONNEL POLICY

Fauquier County, Virginia

Section 17

I. Purpose

This section provides the procedures by which an equitable evaluation of duties and responsibilities accomplished by employees of Fauquier County will be made. This policy serves to:

A. Increase productivity and quality of work.

B. Foster an effective supervisor/employee partnership in order to accomplish organizational goals and objectives.

C. Provide the means to evaluate individual performance fairly and accurately.

II. Scope

This policy applies to all permanent full-time and permanent part-time Fauquier County employees.

III. Evaluation Forms

The County Performance Evaluation forms will be used in evaluating the performance of County employees. Specialized forms may be developed by Department Heads/Constitutional Officers if the need arises. Any specialized forms must be reviewed by the Department of Personnel and approved by the County Administrator prior to official use.

IV. The Evaluation Process

Performance evaluation is a continuous process carried on in an atmosphere of fairness, mutual respect and meaningful communication. Frequent communication between the supervisor and employee regarding the employee's performance is intended to strengthen the supervisor/employee relationship and should result in improved performance and personnel decisions.

Immediate supervisors who leave their positions during the rating period must, prior to departure, complete a performance evaluation for each subordinate who has not received an evaluation within the previous ninety (90) days.

V. Responsibilities

A. Immediate supervisors (evaluators) will:

1. At the beginning of each evaluation period:

a. Review each class specification and job task listed to ensure an accurate description of the position's duties and responsibilities.

b. Identify job performance elements for each position.

c. Meet with each employee to set and communicate performance standards in writing.

2. During the evaluation process:

a. Prepare the evaluation form.

b. Provide the second level supervisor with the opportunity to review the evaluation form before discussing the evaluation with the employee.

c. For any employee who receives a rating below Satisfactory in two or more functional areas, use a detailed memorandum to establish specific performance improvement goals and a timetable for achieving those goals.

d. Forward completed performance evaluations to the Department of Personnel.

3. Throughout the year:

a. Conduct progress reviews to discuss performance and to document changes as they occur.

b. Assist employees who perform below the Satisfactory level of performance through follow-up counseling and direct feedback.

B. Second level supervisors will:

1. Provide training to recently promoted or newly hired supervisors in how to apply this policy and in how to conduct appraisals.

2. At the beginning of each evaluation period, review job performance elements and performance standards with the employee.

3. If desired, review the evaluation form before the evaluator discusses the evaluation with the employee.

4. Sign the evaluation form after the evaluator has discussed the evaluation with the employee.

C. Employees will:

1. Actively participate in the setting of performance standards for each job performance element.

2. Advise immediate supervisor of any factors or circumstances which the employee believes should be considered in evaluating their performance.

D. The County will provide training to all managers, supervisors, and employees affected by this policy.

VI. Job Performance Elements

Job performance elements are those parts of the job that bear a significant relationship to the basic purpose of the position and the accomplishment of organization functions.

VII. Performance Standards

Job performance elements are what needs to be done in a job. Performance standards state how it is to be done. The standards identify the level of proficiency at which each job performance element can possibly be carried out during a specified period. In setting standards, it is necessary to consider how performance will be measured. It may be based on terms of cost, timeliness, quality, quantity, accuracy, work behaviors, and/or other manners of performance which have an impact upon the work results of the department and its functions.

Performance standards must be established for each job performance element. The standard must be stated in writing and must be communicated to the employee at the beginning of each evaluation period, or when a change is made during the evaluation period.

VIII. Rating Levels

The employee Performance Evaluation form provides for marking in two (2) distinct levels of performance.

Satisfactory: Employee maintains performance levels in accordance with the established standards for the job and performs job duties at expected proficiency. Employee's work is completed with accuracy and on time, and employee works well with associates and with the public.

Unsatisfactory: Employee is not meeting the performance standards established for his/her job. Counseling and a performance improvement plan (PIP) must be implemented. The employee may lack the required knowledge, skills and abilities to perform the job adequately, or the employee may not understand the performance expectations associated with the job. The employee's immediate supervisor, in consultation with the evaluator's immediate supervisor, and the Personnel Director, or his designee, should help the employee develop his/her PIP.

IX. Timing of Evaluations

A. All employees shall be rated at least annually. The evaluation period shall be from July 1 through June 30 of each year.

B. New and recently promoted employees will be reviewed after they have completed their probationary period. If the employee falls below the

Satisfactory level in more than one area, they should be reviewed again at six months. Following the probationary period, the employee would be eligible for yearly merit adjustments like all other tenured employees.

C. Employees who transfer during a rating period normally will be evaluated jointly by those supervisors having responsibility over the employee during the rating period. In rating performance, consideration will be given to the employee's length of time and responsibilities under each supervisor.

D. Based upon the circumstances, and with prior approval of the reviewing supervisor and concurrence by the Director of Personnel, the immediate supervisor has the option to postpone an employee's evaluation for a period not to exceed ninety (90) days. The employee must be advised in writing of the reason for the postponement, and the date that the evaluation will be completed.

E. Special additional evaluations may be scheduled and accomplished as needed by the immediate supervisor.

X. Employee Rights

Evaluation of an employee's performance is not grievable under the County Grievance Procedure except where the employee can show that the evaluation was arbitrary or capricious. The content of job performance elements and performance standards are not grievable under the County Grievance Procedure. Each employee has the right to reply in writing to the evaluator after the evaluation has been discussed with them. The employee's granting or withholding of approval will not be a prerequisite to the effective date, or substance of the evaluation, nor will any evaluation or salary increase as a result thereof be a grievable matter. Any written response by the employee will be forwarded to the second level supervisor for review, and will become part of the official personnel record, before the rating becomes final.

XI. Pay Allocation Based on Performance

A. The employee may be eligible to receive a merit increase in pay following a determination of an overall performance evaluation of Satisfactory. The merit increase is determined by the overall performance rating for the evaluation period, and is equivalent to a one (1) step increase within the grade.

B. The overall performance rating will be determined by the following schedule:

Overall Performance Rating

Satisfactory.....	COLA & Merit
Unsatisfactory.....	COLA

C. While budget limitations may require cancellation or downward adjustments of proposed merit pay increases, such limitations will not influence the evaluation rating given to the employee.

XII. Use of Evaluations

Results of performance evaluations may be used as a basis for determining training, awards, merit pay, reassigning, promoting, transferring,

reduction in grade, retaining and terminating employees.

XIII. Records

A. The completed performance evaluation forms will be maintained in the employee's personnel file located in the Department of Personnel. Retention of these documents will be in accordance with the County Personnel Policy. If used, self-evaluation forms are not to be included in the employee's personnel file.

B. All completed Fauquier County employee performance evaluation forms are confidential and are to be made available only to:

1. The employee evaluated.
2. An individual or representative whom the employee has designated in a written statement for release of information.
3. The evaluator and supervisors directly in the chain of authority above the employee and the Department Head/Constitutional Officer.
4. The County Administrator or designated representative.
5. A supervisor who is considering accepting the employee for a promotion/transfer.
6. The Director of Personnel or designated representative.

XIV. Program Evaluation

Periodic evaluation of the effectiveness of the County Performance Evaluation System will be conducted to determine whether it meets the needs of the organization, management and employees, and whether it complies with pertinent laws and regulations. As a result of the program evaluation, action will be taken, as necessary, to refine, alter, or otherwise improve the system. Copies of such evaluation reports will be available for review by all employees, supervisors and management officials of the County.

XV. Compliance with Equal Employment Opportunity Guidelines

Because performance evaluations can be used as a factor in making personnel decisions such as pay, promotion, awards, transfer, demotion, suspension, training or termination, the employee performance evaluation system must comply with applicable equal employment opportunity guidelines. Consistency in treating all employees in the same manner is essential. Factors such as race, color, creed, political or religious affiliation or opinion, age, handicap, national origin, sex, marital status, pregnancy, or any other non-merit factor will not influence how employees are evaluated and rated.

PERSONNEL POLICY
Fauquier County, Virginia

Section 26

I. PURPOSE

This section establishes the policy procedure by which a reduction in force (RIF) will be implemented. Fauquier County will implement a reduction in force only when such action is required by a lack of work, lack of funds, and/or the elimination of one or more program functions. The lack of work or funds may result from a policy decision by the Board of Supervisors.

II. SCOPE

This policy applies to all permanent and temporary status Fauquier County employees. Any State funded position, which is supplemented by the County, may be subject to a reduction or elimination of the County supplement. This loss of the County supplement may not ultimately result in a RIF of the position.

III. DEFINITIONS

A. Affected/Active Class - The class in which an employee is actively employed at the time of a RIF order.

B. Bump - The displacement of one employee by another based on higher retention points.

C. Class - All positions of the same title and grade.

D. Probationary Appointment - any employee serving the initial 12 month employment period of a position.

E. Reduction in Force (RIF) - A reduction in the number of approved positions because of lack of funds or lack of work.

F. Retention Points - A point system devised of a combination of length of service and a two year period of performance evaluation scores.

G. Secondary Class - A class in which an employee is not actively employed when he/she becomes subject to a RIF procedure and which is equal to or lower in grade than

the active class. It must be a class for which the employee meets the minimum qualifications.

H. Seniority - The sum of the employee's continuous length of service with the County.

I. Temporary Appointment - Any appointment that is time limited.

IV. PROCEDURES

Where the anticipated duration of lack of work or lack of funds does not exceed ten (10) days, the provisions of this policy shall not apply and employees will be placed on administrative leave without pay. Where any reduction is anticipated to last for more than ten (10) days the following steps will be taken in order as listed.

1. Normal attrition
2. Termination of temporary appointments in the affected classes.
3. Transfer to funded or authorized positions.

4. Termination of probationary appointments in the affected classes.
5. Layoff of regular employees in the affected classes.

When the County encounters the need to reduce the work force, the Board of Supervisors will issue a reduction in force directive/order, which will include the program functions to be eliminated or reduced. Department Heads will then determine the position classes to be reduced or abolished (affected classes). The Department Head will recommend to the Department of Personnel the positions to be eliminated, or as an alternative, the number of work hours which will be reduced through job sharing or amended scheduling procedures. The Director of Personnel will forward that recommendation with appropriate comments to the County Administrator. Upon approval of the County Administrator, the Director of Personnel shall be responsible for the implementation of the reduction in force directive.

Step 1. Normal Attrition

Upon receipt of the determination of the County Administrator to implement a Reduction in Force (RIF), the Director of Personnel shall halt the processing of advertising or selection for all classes of employees indicated in the RIF order. No further applications for affected positions will be released to any department. Incumbents in affected job titles will be asked to consider early retirement. Any decision to utilize an early retirement option would be the sole prerogative of the employee.

Step 2. Termination of Temporary Appointments

Upon a determination by the County Administrator, in consultation with the Director of Personnel, that Normal Attrition (Step 1) will not fully implement the RIF order, temporary employees in the affected classes will be given a minimum of ten (10) working days notice prior to termination. The Director of Personnel shall prepare the written termination notice to all such employees. The original and copy of all such notices will be forwarded to the appropriate Department Head, who will meet individually with each employee.

Step 3. Transfer to Funded or Authorized Positions

Upon a determination by the County Administrator, in conjunction with the Director of Personnel, that Termination of Temporary Appointments (Step 2) will not fully implement the RIF order, outstanding vacancies which have not been designated for elimination will be filled by the transfer of employees to the same or appropriate positions in the County. Employees who have completed their probationary periods will have the first opportunity for such transfers. Any employee refusing a transfer to the same or similar position will be laid off without further consideration. The Director of Personnel will notify both the department which will receive the transferring employee and the department affected by the RIF of the proposed effective date of transfer. When implementing such a transfer, the ability of the employee to perform the work assignment will be assessed and will be the primary criterion in selection. The employees will be required to demonstrate their ability and a special probationary period of thirty (30) working days will be required. All employees so transferred will be evaluated during this special probationary period and their demonstrated performance will be the sole basis of any determination to retain or to terminate the employee from the assignment. Based on the qualifications of the employee and the minimum qualifications of the vacancy, the Director of Personnel will determine what constitutes an appropriate position.

Step 4. Termination of Probationary Appointments

Upon a determination by the County Administrator, in consultation with the Director of Personnel, that Transfer to Funded or Authorized Positions (Step 3) will not fully implement the RIF order, probationary employees in the affected classes will be given a minimum of ten (10) working days notice prior to termination. The Director of Personnel shall prepare the written termination notice to all such employees. The original and a copy of all such notices will be forwarded to the appropriate department head, who will meet individually with each employee.

Step 5. Layoff of Regular Employees

Following the implementation of steps 1 through 4, the layoff of regular employees will be initiated, if necessary, to complete the reduction specified in the RIF order.

When positions within a class have been designated for reduction, employees shall be laid off on the basis of both service points and performance points, with those with the fewest points subject to layoff first. Service and performance points (retention points) shall be calculated based on the following:

1. The date used to calculate the retention points will be the date on which the reduction in force directive/order is issued.

2. Each full year (twelve calendar months) of continuous service as a permanent status employee, equals one service point. Each additional full month of continuous County service as a permanent status employee, equals 1/12 (.0833) service point. Employment time in the affected class shall be counted twice as much as employment in the other previously held classes.

(a) Former permanent service shall be counted only if the break in service is 2 years or less.

(b) Service is counted on a pro-rated basis for part-time employees.

(c) Given that employees retain their employment status while on leave, any length of leave time (with or without pay), is not deducted when calculating service.

(d) Probationary service is included when calculating permanent service.

(e) Previously documented service with another employer shall be included if the employer subsequently became absorbed into the County system.

3. For the affected class, points shall be given for the average performance evaluation ratings received in the two (2) years immediately preceding the effective date of retention point calculations, giving twice as much credit to the most recent rating. If the average performance rating is:

Satisfactory	Add 4 points
Unsatisfactory	Add 2 points

4. In the situation where a permanent status employee has been promoted, but has served less than twelve (12) months in that position, the numerical average of the factors on their Interim Performance Appraisal will serve as the employee's most recent evaluation rating. The Interim Performance Appraisal ratings will be converted into a numerical score based on the following:

Unsatisfactory	= 2 points
Satisfactory	= 3 points

V. SEPARATION PRIORITY

Affected classes of employees shall be separated in the following priority order.

A. Temporary employees in identified classes shall be separated prior to probationary or permanent employees in the same class. Temporary employees shall be separated in order of priority of need as determined by the Department Head.

B. Probationary employees in identified classes shall be separated prior to permanent employees in the same class. Probationary employees shall be separated by retention priority, with higher priority being determined by longer length of service and higher performance evaluation ratings.

C. Permanent employees in affected classes shall be separated by retention priority. Retention priority shall be based on retention points, with higher points having higher priority.

VI. EXEMPTION FROM SEPARATION

A. Department Heads may request that an employee be exempted from separation, if the following circumstances exist:

1. The Department Head states that the employee is essential to the efficient operation of the department, because of a specific special skill or ability possessed by the individual, and

2. The Department Head wishes to retain the employee in preference to a person with a higher number of retention points but who does not possess the specific special skill or ability, and

3. The Department Head justifies that separation or displacement of the employee would be detrimental to the financial, public or employee relations posture of the County.

B. The County Administrator or designee shall make the final decision as to whether an employee may be exempted from separation.

C. Employees exempted from separation shall be retained in their position and the individual with the next lowest number of retention points in the same class shall be separated.

VII. PLACEMENT PRIORITY/BUMPING RIGHTS

A. An employee in an affected class shall first be transferred to a vacancy in his/her class in any department. If this is not an option, an employee in an affected class shall be transferred to the vacancy for which

he/she meets the minimum qualifications (secondary class). In instances where more than one employee meets the minimum qualifications for the vacant position, an internal competitive process shall be used to select the employee to be transferred to the vacant position.

B. If there are no vacancies, an employee in an affected class shall first displace a probationary employee in his/her class in the same department or second displace a probationary employee in a secondary class in the same department.

C. If there are no opportunities for either placement in a vacancy or displacement of a probationary employee, then the employee is eligible to bump within secondary classes within his/her department. An employee with the highest number of retention points is eligible to bump an employee with fewer retention points.

D. An employee who is bumped into a position pursuant to this procedure will be considered to occupy that position.

E. All affected employees must accept the first placement opportunity. All placement priorities are determined by retention points.

F. Retention registers and bumping rights will be applied by the Department of Personnel staff.

VIII. TIE IN RETENTION POINTS

Ties in retention points shall be decided by comparing the most recent performance evaluations. The employee with the higher overall average rating score will have preference over the employee with the lower score.

IX. RE-EMPLOYMENT/RECALL LIST

An employee who is demoted or is laid off under these procedures shall have his/her name placed on the recall list for his/her active classification and shall be accorded first opportunity for re-employment in the active class in order of seniority. Employees who return to a position in their active class under this procedure shall be treated as reinstatements with respect to pay and leave accrual. If an employee is offered and rejects an opportunity for re-employment in the active class, his/her name shall be removed from the active classification recall list.

In addition, at the employee's option, his/her name may be placed on the recall list for secondary classifications as defined in this procedure. Should a vacancy occur in such a secondary class, employees on the recall list shall be certified for the vacant position. If an employee is offered and rejects an opportunity for re-employment in a secondary classification, his/her name shall be removed from this reference list.

Employees shall remain on re-employment lists created under this procedure for two (2) years, or until the employee accepts placement in the active class or secondary class, or until the employee asks to be removed from the list, whichever comes first. In no case, however, shall an employee be eligible for non-competitive appointment to a position higher in pay grade than the position in which the employee was serving at the time of layoff or demotion.

Part-time positions that become available in a class in which there are persons with re-employment rights will be offered to persons with re-

employment rights in that classification on the basis of seniority. If an employee accepts a part-time position, he/she will remain eligible for re-employment as described above.

X. PAY RETENTION PROVISIONS

An employee who accepts a demotion under this procedure is authorized to receive the compensation of the former grade and position for not more than six (6) months. During the "grandfather" period, the employee shall be entitled to cost-of-living, merit pay increments, or other general pay adjustments accorded to other employees. If the employee remains in the original position at the end of six months, he or she shall be demoted to the grade to which the new position is allocated, and their salary will be adjusted, in accordance with the rules governing demotion.

If the employee is returned to his/her active class within this two year period, the rate of pay shall be consistent with the active class.

XI. NOTICE AND SEVERANCE PACKAGE

Prior to layoff, a permanent status (non-probationary) employee shall be given at least thirty (30) calendar days notice. The Director of Personnel shall prepare the written termination notice to all employees in the affected classes. The original and a copy of all such notices will be forwarded to the appropriate Department Head, who will meet individually with each employee.

Upon receipt of the RIF order, the Director of Personnel shall develop the severance package for approval by the Board of Supervisors. The package will consist of pay, benefits, and services available to those employees in affected classes. Severance pay shall be paid at the rate of pay at time of layoff and shall be granted to non-probationary permanent status employees.

Employees will not accrue leave or other benefits related to severance pay. Severance payments to an employee shall cease, if not exhausted, upon the re-employment of the employee to a position in the County. Severance pay shall be forfeited by the employee who declines a transfer, reassignment or demotion to another vacant position or who declines a bumping opportunity prior to the effective date of any such separation due to a reduction in force.

XII. AFFIRMATIVE ACTION IMPACT

Prior to the implementation of layoffs of regular employees, the County will conduct a review of those classes of employees considered protected under the federal law and scheduled to be laid off. If the review representation is acceptable under the County Affirmative Action Program, the layoff will proceed as outlined in Paragraph IV. If the review shows that the reduction in force policy unduly impacts on persons protected by Title VII of the Civil Rights Act, the Americans with Disabilities Act, and the Age Discrimination in Employment Act, a new policy will be formulated and implemented. The new RIF policy will apply to all employees equivalently.

XIII. ADMINISTRATIVE HEARING

Any employee who believes they were denied the benefit of the procedures as specified in this policy, shall have access to an administrative hearing. Employees must file a request for an administrative hearing within

five (5) working days of receipt of a layoff notice. The employee must state the procedures which the employee believes have been misapplied in their case or why the separation is an error. A panel comprised of the County Administrator, the employee's Department Director, and the Director of Personnel, shall conduct a hearing within five (5) working days following the submission

of a request for a hearing with the Director of Personnel. Additional time may be granted by mutual consent of the parties. The decision of the panel is final.

XIV. TRANSITION ASSISTANCE

Permanent employees being separated as a result of a reduction in force shall be scheduled for a transition information session with a representative of the Department of Personnel. The session shall include information on assistance available through Personnel, Finance and the Employee Assistance Program.

Employees who are laid off under a reduction in force directive shall be entitled to Unemployment Compensation as provided by the Code of the Commonwealth of Virginia. Laid off employees will be paid for earned annual or compensatory leave as provided for in these regulations. Laid off employees will be given priority consideration for any employment opportunity for which they are qualified.

XV. EMPLOYEE RESPONSIBILITY

Any employee laid off and placed on a Recall List, will be responsible for notifying the Department of Personnel of any change in address or telephone number. Employees will be notified to return to work by certified mail. Any individual who fails to report for work as directed within ten (10) working days following receipt of notification to return to work will forfeit all further recall or employment rights.

XVI. MISCELLANEOUS

Notwithstanding any other provisions, the Director of Personnel is authorized to review records related to the reduction in force procedure and investigate allegations of unfair application of these procedures.

Authorization for the County Administrator to Sign the Agreement for Provision of Professional and Technical Services to the County of Fauquier by Vint Hill Farms Economic Development Authority

RESOLUTION

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO SIGN THE AGREEMENT FOR PROVISION OF PROFESSIONAL AND TECHNICAL SERVICES TO THE COUNTY OF FAUQUIER BY THE VINT HILL FARMS ECONOMIC DEVELOPMENT AUTHORITY

Be It Resolved by the Fauquier County Board of Supervisors this 4th day of February 1997, That the County Administrator be, and is hereby, authorized to sign the Agreement for Provision of Professional and Technical Services to the County of Fauquier, Virginia by the Vint Hill Farms Economic

Development Authority.

VIRGINIA DEPARTMENT OF TRANSPORTATION'S SECONDARY ROADS
IMPROVEMENT BUDGET FOR FY 1997-1998 AND THE FY 1997-1998
THROUGH 2002-2003 SECONDARY ROAD SIX YEAR PLAN

Mr. Weeks moved to table the decision on the Virginia Department of Transportation's Secondary Roads Improvement Budget for FY 1997-1998 and the FY 1997-1998 through 2002-2003 Secondary Road Six Year Plan until the February 18, 1997 meeting. Mr. Burton seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr.
Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry
L. Weeks
Nays: None
Absent During Vote: None
Abstention: None

FAUQUIER COUNTY CODE AMENDMENT -- CHAPTER 8 -- FINANCE AND
TAXATION -- TO ALLOW AMENDMENT OF TAX RATE ON MOTOR
VEHICLES OWNED OR LEASED BY MEMBERS OF VOLUNTEER RESCUE
SQUADS OR VOLUNTEER FIRE COMPANIES

A public hearing was held on January 21, 1997 to consider amending Chapter 8 of the Fauquier County Code to allow an amendment of the tax rate on motor vehicles owned or leased by members of the volunteer fire and rescue companies. Mr. Brumfield moved to adopt the following ordinance. Mr. Weeks seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr.
Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry
L. Weeks
Nays: None
Absent During Vote: None
Abstention: None

ORDINANCE

AN ORDINANCE AMENDING CHAPTER 8 OF THE CODE OF FAUQUIER
COUNTY, SECTION 8-29.2 TO PROVIDE A SEPARATE CLASSIFICATION OF
PERSONAL PROPERTY FOR MOTOR VEHICLES OWNED OR LEASED BY
MEMBERS OF A VOLUNTEER FIRE COMPANY OR RESCUE SQUAD

WHEREAS, Section 58.1-3506, Section B., of the Code of Virginia, 1950, as amended, entitles the Board of Supervisors to levy a tax on the property enumerated in Subsection A. at different rates from the tax levied on other tangible personal property; and

WHEREAS, motor vehicles owned or leased by members of a volunteer rescue squad or volunteer fire company as listed in Subsection A. of Section 58.1-3506 of the Code of Virginia, 1950, as amended; and

WHEREAS, the Board of Supervisors by adoption of this ordinance determines it to be in the best interest of the citizens of Fauquier County to amend the Code of Fauquier County to add this provision; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 4th day of February 1997, That Section 8-29.3 of the Code of Fauquier County be, and is hereby, amended to read as follows:

Sec. 8-29.2. Separate Classifications of Tangible Personal Property for Taxation.

Pursuant to authority granted by Section 58.1-3506.A of the Code of Virginia, 1950, as amended, the items set forth below are declared to be a separate class of tangible personal property for taxation purposes:

a. Camping trailers and mobile motor homes. Privately owned camping trailers and mobile motor homes, as defined in §46.2-100 of the Code of Virginia, 1950, as amended, which are used for recreational purposes only.

b. Motor vehicles owned or leased by members of fire and rescue squads. One motor vehicle which is regularly used and owned or leased (provided that the lease obligates the owner to pay tangible personal property tax on the vehicle) by a member of a duly authorized volunteer rescue squad or volunteer fire department to respond to calls shall be and is hereby classified as a separate class of tangible personal property. For purposes of this subsection the term "member" is defined as any person listed as a member of a duly authorized volunteer rescue squad or volunteer fire department among the record of members kept by the Clerk of the Circuit Court of Fauquier County and who has met the eligibility requirements as established by the Fauquier County Fire and Rescue Association. Notwithstanding the foregoing provisions of this subsection no motor vehicle shall be classified under this subsection unless, as of January 31 of each year, the volunteer shall have furnished the Commissioner of Revenue a certification by the chief, that the volunteer is a member who regularly responds to calls and that the identified vehicle is regularly used for such purpose pursuant to Section 58.1-3506.A.13 of the Code of Virginia.

A RESOLUTION TO ESTABLISH THE RAPPAHANNOCK-RAPIDAN REGIONAL PARTNERSHIP

Mr. Brumfield moved to adopt the following resolution. Mr. Weeks seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks
Nays: None
Absent During Vote: None
Abstention: None

RESOLUTION

A RESOLUTION ESTABLISHING THE RAPPAHANNOCK-RAPIDAN REGIONAL PARTNERSHIP

WHEREAS, the Virginia General Assembly, in its 1996 session, enacted the Regional Competitiveness Act (Title 15.1, Chapter 26.3 of the Code of Virginia) which calls for the creation of certain regional partnerships among local governments; and

WHEREAS, this same Act was signed by the Governor of Virginia, and

provides for monetary incentives toward the establishment of such regional partnerships; and

WHEREAS, each regional partnership shall develop a regional strategic economic development plan which identifies critical issues of economic competitiveness for its defined region; and

WHEREAS, regional partnerships shall promote an efficient delivery of economic development services while addressing the critical issues identified through the strategic planning process; and

WHEREAS, the Rappahannock-Rapidan Planning District Commission monitors and reports on economic and demographic trends in the region, and maintains familiarity with existing and potential joint activities within the region, and is dedicated to promoting cooperation among its member localities, and enhancing the quality of life of its inhabitants; and will take the appropriate actions as required by the Virginia Department of Housing and Community Development to qualify the above regional partnership for applicable incentives under the Regional Competitiveness Act; and

WHEREAS, the regional partnerships created by the Regional Competitiveness Act are to be approved by the local governing bodies of the region; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 4th day of February 1997, That the designation of the Rappahannock-Rapidan Regional Partnership as the regional organization for the purposes of compliance with the Regional Competitiveness Act be, and is hereby, approved for the County of Fauquier.

A RESOLUTION OF ACCEPTANCE OF LICENSE AGREEMENT FOR USE OF
REAL PROPERTY ADJACENT TO RADY PARK

Mr. Brumfield moved to adopt the following resolution. Mr. Burton seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr.
Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry
L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

RESOLUTION

A RESOLUTION OF ACCEPTANCE OF A LICENSE
AGREEMENT FOR USE OF REAL PROPERTY

WHEREAS, Section 15.1-262 of the Code of Virginia authorizes the Board of Supervisors to accept land for any public purpose; and

WHEREAS, the Board of Supervisors of Fauquier County finds it to be in the public interest to accept donations of certain real property for public purposes; and

WHEREAS, through a License Agreement Fang S. and Marie Horng have offered to allow a portion of their real property to be used for the benefit of the citizens of Fauquier County; and

WHEREAS, the interest in real property to be donated is more particularly identified as a portion of PIN 6975-04-91-0706 which abuts the boundary for the Town of Warrenton, Virginia; now, therefore, be it

RESOLVED by the Board of Supervisors of Fauquier County this 4th day of February 1997, That the Board of Supervisors be, and is hereby, authorized to enter into the License Agreement with Fang S. and Marie Horng; and, be it

RESOLVED FURTHER, That G. Robert Lee, County Administrator for Fauquier County be, and is hereby, authorized to accept and execute the proper documents to effect the License Agreement to the aforementioned property on behalf of the County of Fauquier.

A RESOLUTION APPROVING A PLAN OF LEASE FINANCING WITH THE FAUQUIER BANK FOR ACQUISITION, RENOVATION, AND REHABILITATION OF REAL PROPERTY AND THE IMPROVEMENTS THEREON INCLUDING AN EXISTING OFFICE BUILDING, LOCATED AT 320 HOSPITAL DRIVE IN WARRENTON, VIRGINIA

Pending receipt of additional information from the County's Bond Council, Mr. Brumfield moved to table the decision regarding approval of a plan of lease financing with the Fauquier Bank for acquisition, renovation and rehabilitation of property and improvements located at 320 Hospital Drive in Warrenton until later in the meeting. Mr. Weeks seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

A REQUEST FOR A DEPARTMENT OF ENVIRONMENTAL QUALITY PUBLIC HEARING ON THE PERMIT FOR CEDAR RUN DAM SITE #6

Mr. Burton moved to adopt the following resolution. Mr. Brumfield seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

RESOLUTION

Be it Resolved by the Fauquier County Board of Supervisors this 4th day of February 1997, That the Virginia Department of Environmental Quality be, and is hereby, requested to schedule and hold a public hearing at H.M. Pearson or other appropriate public place, on the proposed issuance of a permit for water discharge for the proposed Cedar Run Dam Site #6.

A RESOLUTION ENDORSING THE VIRGINIA DEPARTMENT OF
TRANSPORTATION PROPOSAL TO CONSTRUCT A SIGNALIZED ENTRANCE
TO THE CORRAL FARM PROPERTY ACROSS FROM THE INTERSECTION OF
ROUTE 29 BUSINESS, SOUTH OF WARRENTON

Mr. Brumfield moved to adopt the following resolution. Mr. Burton
seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr.
Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry
L. Weeks
Nays: None
Absent During Vote: None
Abstention: None

RESOLUTION

A RESOLUTION ENDORSING THE VIRGINIA DEPARTMENT OF
TRANSPORTATION PROPOSAL TO CONSTRUCT A SIGNALIZED ENTRANCE
TO THE CORRAL FARM PROPERTY ACROSS FROM THE INTERSECTION OF
ROUTE 29 BUSINESS, SOUTH OF WARRENTON.

WHEREAS, the Virginia Department of Transportation (VDOT) has
requested that the Board of Supervisors endorse its proposal to change the
planned access point for the Corral Farm property from the current location
on Highway 29 to align with Highway 29 Business; and

WHEREAS, the County Transportation Committee has reviewed this
proposal and recommends that the Board of Supervisors consider endorsing
this change to the access plan; and

WHEREAS, County staff has worked with VDOT to establish two
parameters that are mutually agreeable to VDOT and the County regarding
this requested change in the access plan; and

WHEREAS, these parameters include; 1) that the proposed access plan
shall not require a County cost share in excess of the existing budget; 2)
that the construction of the signalized intersection shall be completed by the
end of 1997; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 4th day
of February 1997, That the Board of Supervisors does hereby endorse the
Corral Farm Access Plan as proposed by VDOT, recommended by the
Fauquier County Transportation Committee, and consistent with the
parameters listed above.

A RESOLUTION TO REQUEST THAT THE VIRGINIA ASSOCIATION OF
COUNTIES (VACo) OPPOSE SENATE BILL 1042

Mr. Burton moved to adopt the following resolution. Mr. Brumfield
seconded, and the vote for the motion was 3 to 2, as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr.
Wilbur W. Burton
Nays: Mr. James R. Green, Jr.; Mr. Larry L. Weeks
Absent During Vote: None
Abstention: None

RESOLUTION

A RESOLUTION TO REQUEST THAT THE VIRGINIA ASSOCIATION OF COUNTIES (VACO) OPPOSE SENATE BILL 1042

WHEREAS, Senator R. Edward Houck has introduced a bill in the Virginia Senate which would prohibit the State Water Control Board from issuing any permit for the discharge of sewage, the source of which is in a river sub-basin outside the basin of discharge, unless the discharge will meet the applicable standards as if it were discharged in the source sub-basin and at least one public hearing preceded by notice containing information regarding the hearing and the proposal has been held; and

WHEREAS, the Senate Agriculture Committee voted to amend the bill so as to apply only to the Rappahannock River basin;

WHEREAS, the effect of this bill would be to require localities to conform to discharge standards in excess of the requirements established by the Department of Environmental Quality for the receiving basin; and

WHEREAS, the Fauquier County Board of Supervisors recognizes this bill as a significant unfunded mandate that will impose substantial previously unanticipated costs on localities that have sought or are considering the implementation of an integrated discharge system which combines the flows from two or more basins into one state of the art Waste Water Treatment Plant; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 4th day of February 1997, That the Board of Supervisors does hereby request that the Virginia Association of Counties oppose Senate Bill 1042 as amended on the grounds that it represents a significant unfunded mandate to localities and is in contradiction to the policies and standards established by the Department of Environmental Quality; and, be it

RESOLVED FURTHER, That the County Administrator shall prepare a letter of transmittal for this resolution that shall, among other things deemed necessary, note the vote of the Board of Supervisors in passing this resolution.

A RESOLUTION APPROVING A PLAN OF LEASE FINANCING WITH THE FAUQUIER BANK FOR ACQUISITION, RENOVATION, AND REHABILITATION OF REAL PROPERTY AND THE IMPROVEMENTS THEREON INCLUDING AN EXISTING OFFICE BUILDING, LOCATED AT 320 HOSPITAL DRIVE IN WARRENTON, VIRGINIA

Mr. Weeks moved to adopt the following resolution. Mr. Burton seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

RESOLUTION

A RESOLUTION APPROVING A PLAN OF LEASE FINANCING

WITH THE FAUQUIER BANK FOR ACQUISITION, RENOVATION AND REHABILITATION OF REAL PROPERTY AND THE IMPROVEMENTS THEREON, INCLUDING AN EXISTING OFFICE BUILDING, LOCATED AT 320 HOSPITAL DRIVE IN WARRENTON, VIRGINIA

WHEREAS, pursuant to the terms of a Purchase Agreement dated as of December 1996, by and between Fauquier County, Virginia (the "County"), 320 Hospital Hill, Inc. (the "Seller") and SPR Corporation, the County Board of Supervisors (the "Board"), on behalf of the County, has purchased from the Seller certain real property and all improvements thereon, including an existing office building located at 320 Hospital Drive in Warrenton, Virginia (the "Property");

WHEREAS, the Board adopted on January 21, 1997, a resolution authorizing the County Administrator to accept the proposal of The Fauquier Bank, Warrenton, Virginia (the "Bank") to provide financing in connection with the County's acquisition, renovation and rehabilitation of the Property (the "Project"); and

WHEREAS, there have been presented at this meeting drafts of the following documents (collectively, the "Documents"), which the Board proposes to execute or approve to carry out the purpose of the Project, copies of which shall be filed with the records of the Board:

(a) Prime Lease dated as of February 1997, between the Board, on behalf of the County, and the Bank, conveying to the Bank a leasehold interest in the Property;

(b) Lease Agreement dated as of February 1997, between the Bank and the Board, on behalf of the County, conveying to the County a leasehold interest in the Project (the "Lease Agreement");

(c) Assignment of Rents and Leases dated as of February 1997, between the County and the Bank, assigning to the Bank certain of the County's rights in all leases and rents with respect to the Project;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF FAUQUIER COUNTY, VIRGINIA

1. The Board determines that the Project is essential to the efficient operation of the County, and the County anticipates that the Project will continue to be essential to the operations of the County during the term of the Lease Agreement.

2. The Lease Agreement shall provide for the Bank to lease the Project to the County upon the following terms: (a) the total of principal components of the Tax-Exempt Basic Rent (as defined in the Lease Agreement) payable under the Lease Agreement shall not exceed \$3,050,000 and the total of principal components of the Taxable Basic Rent (as defined in the Lease Agreement) payable under the Lease Agreement shall not exceed \$530,000, (b) the term of the Lease Agreement shall expire no later than March 1, 2010, (c) the interest component of the Taxable Basic Rent payable under the Lease Agreement shall be based on a rate of 6.65% per year (exclusive of any interest penalties) and the interest component of the tax Exempt Basic Rent payable under the Lease Agreement shall be based on a rate of 4.95% per year (exclusive of any interest penalties) and (d) payments of Tax-Exempt Basic Rent and Taxable Basic Rent (constituting both principal and interest components shall be payable semi-annually in the amounts and on the dates as determined by the County Administrator in the best interest

of the County. As set forth in the Lease Agreement, the County agrees to pay such "late charges" and other charges as provided therein.

3. The Chairman or Vice Chairman of the Board of Supervisors or the County Administrator, any of whom may act, is authorized and directed to execute and deliver the Documents, which shall be in substantially the forms submitted at this meeting, which are approved, with such completions, omissions, insertions and changes not inconsistent with this Resolution as may be approved by the officer executing them, his execution to constitute conclusive evidence of his approval of any such completions, omissions, insertions and changes.

4. The officers of the County are authorized and directed to execute and deliver all certificates and instruments and to take all actions necessary or desirable in connection with the execution and delivery of the Lease Agreement and the completion of the financing.

5. The obligations of the County under the Lease agreement shall be limited obligations payable solely from funds to be appropriated by the Board for such purpose and shall not constitute a debt of the County within the meaning of any constitutional or statutory limitation or a pledge of the faith and credit of the County beyond any fiscal year for which the Board has lawfully appropriated from time to time. Nothing herein or in the Lease Agreement shall constitute a debt of the County within the meaning of any constitutional or statutory limitation or a pledge of the faith and credit or taxing power of the County.

6. The County believes that funds sufficient to make payment of all amounts payable under the Lease Agreement can be obtained. While recognizing that it is not empowered to make any binding commitment to make such payments beyond the current fiscal year, the Board hereby states its intent to make annual appropriations for future fiscal years in amounts sufficient to make all such payments and hereby recommends that future Boards do likewise during the term of the Lease Agreement. The Board directs the County's Director of Finance, or such other officer who may be charged with the responsibility for preparing the County's annual budget, to include in the budget request for each fiscal year during the term of the Lease Agreement an amount sufficient to make the payment of all amounts payable under the Lease Agreement. As soon as practicable after the submission of the County's annual budget to the Board, the County Administrator is authorized and directed to deliver to the Bank evidence that a request for an amount sufficient to make the payment of all amounts payable under the Lease Agreement has been made. If at any time during any fiscal year of the County, through the fiscal year ending June 30, 2010, the amount appropriated in the County's annual budget in any such fiscal years is insufficient to pay when due the amounts payable under the Lease Agreement, the Board directs the Director of Finance, or such other officer who may be charged with the responsibility for preparing the County's annual budget, to submit to the Board at the next scheduled meeting, or as promptly as practicable but in any event within 45 days, a request for a supplemental appropriation sufficient to cover the deficit.

7. (a) The County covenants that it will not take or omit to take any action the taking or omission of which will cause the Tax-Exempt Basic Rent payments due under the Lease Agreement to be "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended, and regulations issued pursuant thereto (the "Code"), or otherwise cause the interest components of the Tax-Exempt Basic Rent due under the Lease Agreement to be includable in the gross income of the holder thereof

under existing statutes. Without limiting the generality of the foregoing, the County shall comply with any provision of law that may require the County at any time to rebate to the United States any part of the earnings derived from the investment of the tax-exempt portion of the funds received under the Lease Agreement, unless the County receives an opinion of nationally recognized bond counsel that such compliance is not required to prevent the interest components of Tax-Exempt Basic Rent due under the Lease Agreement from being includable in the gross income for federal income tax purposes of the holder thereof under existing law.

(b) The County covenants that it shall not permit the tax-exempt portion of the proceeds derived from the Lease Agreement to be used in any manner that would result in (a) 10% or more of such proceeds or the facilities financed with such proceeds being used in a trade or business carried on by any person other than a governable unit, as provided in Section 141(b) of the Code, provided that no more than 5% of such proceeds may be used in a trade or business unrelated to the County's use of the Project, (b) 5% or more of such proceeds being used with respect to any "output facility" (other than a facility for the furnishing of water), within the meaning of Section 141(b) (4) of the Code, or (c) 5% or more of such proceeds being used directly or indirectly to make or finance loans to any persons other than a governmental unit, as provided in Section 141(c) of the Code; provided, however, that if the County receives an opinion of nationally recognized bond counsel that any such covenants need not be complied with to prevent the interest components of the Tax-Exempt Basic Rent from being includable in the gross income for Federal income tax purposes of the holder thereof under existing law, the County need not comply with such covenants.

8. Such officers of the County as may be requested are authorized and directed to execute an appropriate certificate setting forth the expected use and investment of the funds received under the Lease Agreement, and any elections such officers deem desirable regarding rebate of earnings to the United States, for purposes of complying with Section 148 of the Code. Such certificate and elections shall be in such form as may be requested by bond counsel for the County.

9. The County designates the principal components of the Tax-Exempt Basic Rent payments as "qualified tax-exempt obligations" for the purpose of Section 265(b) (3) of the Code. The County represents and covenants as follows:

(a) The County will in no event designate more than \$10,000,000 of obligations as qualified tax-exempt obligations in calendar year 1997, including the principal components of the Tax-Exempt Basic Rent payments, for the purpose of such Section 265(b) (3);

(b) The County, all its "subordinate entities," within the meaning of such Section 265(b) (3), and all entities which issue tax-exempt obligations on behalf of the County and its subordinate entities have not issued, in the aggregate, more than \$10,000,000 of tax-exempt obligations in calendar year 1997 (not including "private activity bonds" within the meaning of Code Section 141, other than "qualified 501(c) (3) bonds within the meaning of Section 145 of the Code), including the principal components of the Tax-Exempt Basic Rent payments;

(c) Barring circumstances unforeseen as of the date of delivery of the Lease Agreement, the County will not issue tax-exempt obligations itself or approve the issuance of tax-exempt obligations of any of such other entities if the issuance of such tax-exempt obligations would, when

aggregated with all other tax-exempt obligations theretofore issued by the County and such other entities in calendar year 1997, result in the County and such other entities having issued a total of more than \$10,000,000 of tax-exempt obligations in calendar year 1997 (not including private activity bonds other than qualified 501(c)(3) bonds), including the principal components of the Tax-Exempt Basic Rent payments; and

(d) The County has no reason to believe that the County and such other entities will issue tax-exempt obligations in calendar year 1997 in an aggregate amount that will exceed such \$10,000,000 limit; provided, however, that if the County receives an opinion of nationally recognized bond counsel that compliance with any covenant set forth in (a) or (c) above is not required for the principal components of the Tax-Exempt Basic Rent payments to be qualified tax-exempt obligations, the County need not comply with such covenant.

10. Any authorization herein to execute a document shall include authorization to deliver it to the other parties thereto and to record such document where appropriate.

11. All other acts of the officers of the County that are in conformity with the purposes and intent of this Resolution and in furtherance of this financing and the undertaking of the Project are approved and ratified.

12. All resolutions or parts of resolutions in conflict herewith are repealed.

13. This resolution shall take effect immediately.

APPOINTMENTS

Mr. Green moved to make the following appointment to the Agriculture Advisory Committee. Mr. Brumfield seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks
Nays: None
Absent During Vote: None
Abstention: None

Jerry File Marshall District 12/31/99

Mr. Green moved to make the following appointment to the Agricultural and Forestal District Advisory Committee. Mr. Brumfield seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks
Nays: None
Absent During Vote: None
Abstention: None

James Grady Marshall District 12/31/99

Mr. Green moved to appoint the following to the Board of Building Appeals. Mr. Weeks seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

John Meadows 12/31/99
Andrew Crockett 12/31/99
James D. Eicher 12/31/99
William M. Ramey 12/31/99
James F. Tucker 12/31/99

Mr. Weeks moved to make the following appointments to the Capital Improvements Program Committee. Mr. Green seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

Kitty Smith Marshall District 12/31/99
Serf Guerra Lee District 12/31/99
Bob Sinclair Scott District 12/31/99
William Miller Financial Expert 12/31/99

Mr. Mangum moved to appoint Serf Guerra Chairman of the Capital Improvements Program Committee. Mr. Weeks seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

EXECUTIVE SESSION

Mr. Brumfield moved to go into executive session pursuant to Virginia Code Section 2.1-344(A)(1) for discussion or consideration of personnel matters and Section 2.1-344(A)(7) for consultation with legal counsel pertaining to potential litigation. Mr. Burton seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None
Absent During Vote: None
Abstention: None

Upon reconvening from executive session, Mr. Brumfield moved to adopt the following certification. Mr. Burton seconded.

CERTIFICATION OF EXECUTIVE MEETING

WHEREAS, the Fauquier County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provision of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by this Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law; now, therefore, be it

RESOLVED this 4th day of February 1997, That the Fauquier County Board of Supervisors certifies that, to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Fauquier County Board of Supervisors.

VOTE:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None

Absent During Vote: None

Absent During Meeting: None

With no further business, the meeting was adjourned.